

# CITY of CLOVIS

## AGENDA • CLOVIS CITY COUNCIL Council Chamber, 1033 Fifth Street, Clovis, CA 93612 (559) 324-2060 www.cityofclovis.com

In compliance with the Americans with Disabilities Act, if you need special assistance to access the City Council Chamber to participate at this meeting, please contact the City Clerk or General Services Director at (559) 324-2060 (TTY – 711). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the Council Chamber.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at City Hall, in the City Clerk's office, during normal business hours. In addition, such writings and documents may be posted on the City's website at www.cityofclovis.com.

October 9, 2017

6:00 PM

Council Chamber

The City Council welcomes participation at Council Meetings. Members of the public may address the Council on any item of interest to the public that is scheduled on the Agenda. In order for everyone to be heard, please limit your comments to 5 minutes or less, or 10 minutes per topic.

Meeting called to order by Mayor Whalen Flag salute led by Councilmember Bessinger

# ROLL CALL

**PUBLIC COMMENTS** (This is an opportunity for the members of the public to address the City Council on any matter within the City Council's jurisdiction that is not listed on the Agenda. In order for everyone to be heard, please limit your comments to 5 minutes or less, or 10 minutes per topic. Anyone wishing to be placed on the Agenda for a specific topic should contact the City Manager's office and submit correspondence at least 10 days before the desired date of appearance.)

**ORDINANCES AND RESOLUTIONS (**With respect to the approval of resolutions and ordinances, the reading of the title shall be deemed a motion to waive a reading of the complete resolution or ordinance and unless there is a request by a Councilmember that the resolution or ordinance be read in full, further reading of the resolution or ordinance shall be deemed waived by unanimous consent of the Council.)

**CONSENT CALENDAR** Consent Calendar items are considered routine in nature and voted upon as one item unless a request is made to give individual consideration to a specific item. (See Attached Consent Agenda.)

## 1. PUBLIC HEARINGS

- A. Consider Actions related to Annexation of Territory (Annexation #50 T6174-Southeast Corner Ashlan/Leonard, T6102- Southeast Corner Shaw/Highland, PM2017-1 Southeast Corner Shepherd/Locan) to the City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services). (Staff: J. Schengel)
  - Consider Approval Res. 17-\_\_\_, A Resolution annexing territory (Annexation #50 T6174- Southeast Corner Ashlan/Leonard, T6102- Southeast Corner Shaw/Highland, PM2017-1 Southeast Corner Shepherd/Locan) to the City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services) and calling a special landowner election to annex territory (Annexation #50) to City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services).
  - 2. Consider Approval Res. 17-\_\_\_, A Resolution of the City of Clovis declaring the results of a special landowner election and directing recording of the Notice of Special Tax Lien for City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services).

## 2. ADMINISTRATIVE ITEMS

- A. ADMINISTRATION (City Manager, City Clerk, Finance)
  - Consider Adoption Ord. 17-21, Repealing Section 2.4.01, of Chapter 2.4, of Title 2 and Adding New Sections 2.4.01 Through 2.4.03, of Chapter 2.4, of Title 2 of the Clovis Municipal Code Pertaining to the Use of the City Seal and Logos. (Vote: 3-0-2 with Mayor Whalen and Councilmember Ashbeck absent)

#### B. COMMUNITY AND ECONOMIC DEVELOPMENT

 Receive and File – Community and Economic Development Department July 2016 – June 2017 Report and Department Overview. (Staff: A. Haussler)

#### C. GENERAL SERVICES

1. Consider Approval – Res. 17-\_\_\_, Amending the City's Master Administrative Fee Schedule Pertaining to Senior Center Facility Rental Fees. (Staff: S. Halterman)

#### D. PLANNING AND DEVELOPMENT SERVICES

- Consider Approval Res. 17-\_\_\_\_, Final Map for Tract 6102, located on the south side of Shaw Avenue at Highland Avenue (DYP 6068 L.P. – DeYoung Properties). (Staff: M. Harrison)
- Consider Approval Res. 17-\_\_\_\_, Annexation of Proposed Tract 6102, located on the south side of Shaw Avenue at Highland Avenue, to the Landscape Maintenance District No. 1 of the City of Clovis (DYP 6068 L.P. – DeYoung Properties). (Staff: M. Harrison)
- 3. Consider Approval Final Acceptance for CIP 15-07, Nees Avenue Recycled Water Main. (Staff: T. Avery)

4. Consider Policy Direction on a request to initiate an Ordinance Amendment requiring a home occupation permit for operation of short term vacation rentals and implementing operating regulations and standards. (Staff: O. Ramirez)

### 3. CITY MANAGER COMMENTS

## 4. COUNCIL ITEMS

A. Council Comments

## 5. CLOSED SESSION

- A. <u>Government Code Section 54956.9</u> CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Significant Exposure to Litigation Pursuant to Paragraph (2) or (3) of Subdivision (d) of Section 54956.9. 2 potential cases
- B. <u>Government Code Section 54956.9</u> CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Section 54956.9 (Deciding Whether to Initiate Litigation): 1 potential case
- C. <u>Government Code Section 54956.9(d)(1)</u> CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Serna Construction, Inc. v. City of Clovis

## ADJOURNMENT

Meetings and Key Issues						
Oct. 16, 2017 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber			
Nov. 6, 2017 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber			
Nov. 13, 2017 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber			
Nov. 20, 2017 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber			
Dec. 4, 2017 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber			
Dec. 11, 2017 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber			
Dec. 18, 2017 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber			
Jan. 2, 2018 (Tue)	6:00 P.M.	Regular Meeting	Council Chamber			

**CONSENT CALENDAR** - Items considered routine in nature are to be placed upon the Consent Calendar. They will all be considered and voted upon in one vote as one item unless a Councilmember requests individual consideration. A Councilmember's vote in favor of the Consent Calendar is considered and recorded as a separate affirmative vote in favor of each action listed. Motions in favor of adoption of the Consent Calendar are deemed to include a motion to waive the reading of any ordinance or resolution on the Consent Calendar. For adoption of ordinances, only those that have received a unanimous vote upon introduction are considered Consent items.

## A. CITY CLERK

1) Approval - Minutes for the October 2, 2017 Council meeting.

#### **B. ADMINISTRATION**

1) No items.

## C. COMMUNITY AND ECONOMIC DEVELOPMENT

- 1) Approval Amend Agreement with Habitat for Humanity Fresno County to Provide Inspection Services for Implementation of the Clovis Home Rehabilitation Grant Program.
- 2) Receive and File Business Organization of Old Town (BOOT) First Quarter Report, July through September 2017.

## D. FINANCE

- 1) Approval Res. 17-\_\_\_, Amending the 2017-18 Budget to reappropriate carryover funding from the 2016-17 Budget.
- 2) Approval Res. 17-\_\_\_, Approving the 2017-2018 Local Transportation Fund Claim to the Council of Fresno County Governments.

#### E. GENERAL SERVICES

1) No items.

#### F. PLANNING AND DEVELOPMENT SERVICES

1) Approval - Final Acceptance for CIP 15-06, Shaw Avenue Sidewalk Improvements.

#### G. PUBLIC SAFETY

1) No items.

## H. PUBLIC UTILITIES

1) No items.

#### I. REDEVELOPMENT SUCCESSOR AGENCY

1) No items.

# CLOVIS CITY COUNCIL MEETING

#### October 2, 2017

#### 6:00 P.M.

**Council Chamber** 

Meeting called to order by Mayor Pro Tem Bessinger Flag Salute led by Councilmember Mouanoutoua

Roll Call:Present:Councilmembers Flores, Mouanoutoua, Mayor Pro Tem BessingerAbsent:Mayor Whalen, Councilmember Ashbeck

6:02 - PRESENTATION OF PROCLAMATION TO THE SIKH COUNCIL OF CENTRAL CALIFORNIA

Councilmember Mouanoutoua presented a Proclamation to the Sikh Council of Central California.

6:22 - PRESENTATION OF PROCLAMATION RECOGNIZING LOGAN-CAINE J. CARDINAL FOR SAVING THE LIFE OF JOSEPH DIAZ ON JUNE 13, 2017

Councilmember Flores presented a Proclamation recognizing Logan-Caine J. Cardinal for saving the life of Joseph Diaz on June 13, 2017.

#### 6:25 - PUBLIC COMMENTS

Robert Martin, resident, commented on improvements made on Nees Avenue due to flooding, and complained about the lack of work performed.

Tom Bell, resident, commented on and requested council to direct staff to work with residents on the Dry Creek Preserve on an annexation agreement.

Ron Sundquist, resident, commented on American Flag flying on water tower, and thanked Police, Fire, Public Utilities, for the Clovis Night Out last weekend.

Robert Evans, Treasurer, Harlan Ranch, Home Owners Association, commented on the recent completion of the purple pipe to Harlan Ranch.

#### 6:46 - CONSENT CALENDAR

Motion by Councilmember Mouanoutoua, seconded by Councilmember Flores, that the items on the Consent Calendar, except item (B1) and (E3), be approved, including the waiver of the reading of the ordinance. Motion carried 3-0-2 with Mayor Whalen and Councilmember Ashbeck absent.

- A1) Approved Minutes for the September 11, 2017 Council meeting.
- A2) Approved Award the RFP for the purchase of core network switches and related equipment to Integrated Office Solutions Inc.

- A3) Approved Waive the City's Usual Purchasing Requirements and Authorize the purchase of a Property/Evidence digital management system utilizing a competitively bid award from the Pomona Police Department.
- A4) Adopted **Ord. 17-19**, R2017-09, A request to approve a rezone from the R-A (Single Family Residential 24,000 Sq. Ft.) Zone District to the R-1-7500 (Single Family Residential 7,500 Sq. Ft.) Zone District for approximately 1 acre of property located at 3072 De Wolf Avenue. Ekam Construction, Inc, owner/applicant; Dale G. Mell & Associates, representative. (Vote: 5-0)
- A5) Adopted **Ord. 17-20**, R2017-12, A request to rezone approximately .2 acres of property located at the northeast corner of Fifth Street and Stanford Avenues, from the C-1 (Neighborhood Commercial) Zone District to the R-1 (Single-Family Residential) Zone District. City of Clovis, owner/applicant. (Vote: 5-0)
- D1) Received and Filed Investment Report for the month of July 2017.
- D2) Received and Filed Treasurer's Report for the month of July 2017.
- E1) Approved **Res. 17-103**, Authorizing Actions Relative to the Application and Award of FY 2016-17 Funding Cycle Proposition 1B Transit Security Grant Funds.
- E2) Approved Waive the City's usual purchasing procedures and Authorize the purchase of Bus Camera Systems from AngelTrax Utilizing a Competitive Bid Award through Kern County Superintendent of Schools, Bakersfield, California.
- E4) Received and Filed 4th Quarter FY 16-17 General Services Department Report.
- F1) Approved Final Acceptance for CIP 17-01, Rubberized Cape Seal 2017.
- F2) Approved **Res. 17-105**, Submittal of a Rubberized Pavement Grant for the maintenance of various city streets; and authorizing the City Engineer to execute all related grant documents.
- G1) Approved **Res. 17-106**, Amending the Fire Department Budget to reflect \$4,000 in a grant award and to fund the Fire Department for public education material in the amount of \$4,000. Amending the General Services Budget to reflect \$56,400 in funding from the second year lease with Pacific Gas & Electric and to fund the General Services Budget for equipment, maintenance and site improvements in the amount of \$27,000, the Fire Department \$5,000 for repairs and equipment, and the Capital Investment Fund \$15,000 for the future required ADA bathroom improvements at the Training Center.
- H1) Received and Filed Public Utilities Report for the month of July 2017.

#### 6:47 CONSENT CALENDAR ITEM (B1) APPROVED – CLOSURE OF CITY ADMINISTRATIVE OFFICES FOR IN-SERVICE DAY ON COLUMBUS DAY, OCTOBER 9, 2017

Assistant City Manager John Holt presented a report on a request closure of City Administrative Offices for In-Service Day on Columbus Day, October 9, 2017. The City does not recognize October 9, Columbus Day, as a City holiday. However, some other governmental agencies close on that day. For the past several years, the City has utilized this day as an in-service day to clean and catch up by closing certain City administrative offices to public access and requiring employees to use the time to organize and reduce office files, catch up on records destruction schedules, and devote uninterrupted time to backlogged projects. Councilmember Mouanoutoua indicated that he requested the item be pulled to discuss the possibility of making this closure for three to five years versus each year. City Attorney David Wolfe recommended that no changes be made at this time because the way the item was put on the agenda was specific to the one day closure, versus multiple years. Council directed staff to come back next year with options for one year or multiple Columbus Day closures.

There being no public comment, Mayor Pro Tem Bessinger closed the public portion. Discussion by the Council. Motion by Council Flores, seconded by Councilmember Mouanoutoua, for the Council to approve closure of City Administrative Offices for In-Service Day on Columbus Day, October 9, 2017, and directed staff to come back next year with options to approve for a three or five year term as an option. Motion carried 3-0-2 with Mayor Whalen and Councilmember Ashbeck absent.

6:52 - CONSENT CALENDAR (E3) APPROVED - **RES. 17-104**, RENEWING THE RETIREE MEDICAL PLAN OPTION FOR ELIGIBLE RETIREES AND RESTATING THE ELIGIBILITY REQUIREMENTS FOR PARTICIPATION IN THE PLAN

Personnel / Risk Manager Lori Shively presented a report on a request to approve a resolution renewing the Retiree Medical Plan Option for Eligible Retirees and Restating the Eligibility Requirements for Participation in the Plan. For many years, the city has offered employees who retire from city service the option of purchasing the same medical and prescription drug benefit package offered to full-time, regular employees. The retiree medical plan option is renewed annually at the discretion of the Council. This option provides qualifying retirees (those with a minimum of five (5) years of full-time City service immediately preceding retirement) with the opportunity to continue participation in the City's medical/prescription plans beyond the continuation coverage period provided through COBRA. Eligibility requirements for participation in the plan and rate information are listed in the staff report.

There being no public comment, Mayor Pro Tem Bessinger closed the public portion. Discussion by the Council. Motion by Council Flores, seconded by Councilmember Mouanoutoua, for the Council to approve a resolution renewing the Retiree Medical Plan Option for Eligible Retirees and Restating the Eligibility Requirements for Participation in the Plan. Motion carried 3-0-2 with Mayor Whalen and Councilmember Ashbeck absent.

7:00 ITEM 1A1 - APPROVED INTRODUCTION - ORD. 17-21, REPEALING SECTION 2.4.01, OF CHAPTER 2.4, OF TITLE 2 AND ADDING NEW SECTIONS 2.4.01 THROUGH 2.4.03, OF CHAPTER 2.4, OF TITLE 2 OF THE CLOVIS MUNICIPAL CODE PERTAINING TO THE USE OF THE CITY SEAL AND LOGOS; AND ITEM 1A2 -APPROVED - RES. 17-107, AUTHORIZING THE CITY MANAGER TO SERVICE MARK THE CITY SEAL AND ALL CITY LOGOS AND TAKE SUCH OTHER ACTIONS DEEMED NECESSARY TO PROTECT THE CITY SEAL AND ALL CITY LOGOS

Assistant City Manager John Holt presented a report on a request to approve various actions associated with the City Seal and Logos. The City of Clovis currently has one Municipal Code (section 2.4.01) which describes the official City seal. This code section does not address use of the official City Seal, or describe or address the use of any of the multiple City Logos. It is necessary to address the use of the City Seal and Logos to prohibit unauthorized use as such may cause confusion, mistake, or deception about the user's affiliation or connection with the City. The attached resolution authorizes the City Manager, or his or her designee, to submit the required applications to the California Secretary of State in order to officially Service Mark the City Seal and Logos. The registration of the Service Marks with the Secretary of State does not by itself protect the City Seal and Logos against unauthorized uses. Instead, the owner of the Service Marks

is responsible for protecting the rights to its marks by enacting an ordinance regulating use (which is the purpose of the Ordinance).

There being no public comment, Mayor Pro Tem Bessinger closed the public portion. Discussion by the Council. Motion by Council Mouanoutoua, seconded by Councilmember Flores, for the Council to approve the Introduction of **Ordinance 17-21**, Repealing Section 2.4.01, of Chapter 2.4, of Title 2 and Adding New Sections 2.4.01 Through 2.4.03, of Chapter 2.4, of Title 2 of the Clovis Municipal Code Pertaining to the Use of the City Seal and Logos, with the following changes to Ordinance Section2.4.02, Subsection (f):

"(f) Third <u>Party Use</u>. The following groups may use City logos as authorized by the City Manager in writing and on such conditions as the City Manager may impose, including the revocation of use for noncompliance with written instructions and conditions.

- 1. Clovis Chamber of Commerce
- 2. Business Organization of Old Town Clovis
- 3. Clovis Unified School District
- 4. Clovis Community Hospital
- 1. Nonprofit or Governmental Organizations Affiliated with the City of Clovis
- 6. California Health Sciences University
- 2. Businesses associated with specific area logos"

Motion carried 3-0-2 with Mayor Whalen and Councilmember Ashbeck absent.

Motion by Council Mouanoutoua, seconded by Councilmember Flores, for the Council to approve **Resolution 17-107**, Authorizing the City Manager to Service Mark the City Seal and All City Logos and Take Such Other Actions Deemed Necessary to Protect the City Seal and All City Logos. Motion carried 3-0-2 with Mayor Whalen and Councilmember Ashbeck absent.

#### 7:11 ITEM 2A1 - RECEIVED AND FILED – UPDATE ON DRY CREEK INDUSTRIAL PARK FLOODPLAIN

City Building Official Doug Stawarski presented an update on Dry Creek Industrial Park Floodplain. Owners of the companies, Gateway Engineering and R.L. Davidson, appeared before Council on September 11, 2017 to seek assistance in obtaining permits for their projects in the Dry Creek Industrial Subdivision. Staff had been working with them to address issues related to the portions of the properties being located within designated flood zones. At the time of the September 11 meeting, Staff's discussions with DWR were indicating that permits could not be issued until a formal approval of revision to the FEMA Insurance Rate Map was approved, a process that could take months. The base flood elevations are currently reporting base flood elevations well above the planned finish floor elevations proposed by the property owners. Since September 11, staff has worked with Gateway Engineering to complete a hydrology study and, in researching the basis of the published base flood elevations, was able to

determine that there was an error in the datum used due to an incorrect datum conversion. With this new information, the City flood plain administrator was able to make a determination that the proposed construction will be sufficiently above the base flood elevation and that the base flood elevation will not top the existing channel. Based on this determination, the permits can be issued while formalization of the FEMA map amendment proceeds.

There being no public comment, Mayor Pro Tem Bessinger closed the public portion. Discussion by the Council. It was the consensus of City Council, with Mayor Whalen, and Councilmember Ashbeck absent, to receive and file the update on Dry Creek Industrial Park Floodplain.

7:22 ITEM 2B1 - APPROVED – **RES. 17-108**, DECLARING OPPOSITION TO THE SEMITROPIC WATER STORAGE DISTRICT'S PETITION AND APPLICATION TO THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD AND TO THE TULARE LAKE STORAGE AND FLOODWATER PROTECTION PROJECT

Assistant Public Utilities Director Lisa Koehn presented a report on a request to approve a resolution declaring opposition to the Semitropic Water Storage District's Petition and Application to the California State Water Resources Control Board and to the Tulare Lake Storage and Floodwater Protection Project. The Semitropic Water Storage District which is located in Kern County, has filed with the California State Water Resources Control Board a petition to revise the fully appropriated stream status of the Kings River and accompanying water right application. This petition is in support of a project for Proposition 1 Grant funding that would export Kings River waters to Kern County and southward. The Kings River has been declared fully appropriated since 1967. The water from the Kings River watershed originates within the Fresno, Kings and Tulare Counties and the petition to export those waters for the project would deprive the water users with the Kings River watershed of water necessary to meet the needs of the area.

There being no public comment, Mayor Pro Tem Bessinger closed the public portion. Discussion by the Council. Motion by Council Flores, seconded by Councilmember Mouanoutoua, for the Council to approve a resolution declaring opposition to the Semitropic Water Storage District's Petition and Application to the California State Water Resources Control Board and to the Tulare Lake Storage and Floodwater Protection Project. Motion carried 3-0-2 with Mayor Whalen and Councilmember Ashbeck absent.

#### 7:26 ITEM 3 - CITY MANAGER COMMENTS

#### NONE

#### 7:27 ITEM 4A - COUNCIL COMMENTS

Councilmember Mouanoutoua commented on Luke's Corner from last month. He also commented on Public Utilities tour and thanked staff for their support. He also commented on Clovis Night Out last weekend and what a great event. He also met with the Fresno Irrigation District. He also requested a weekly update on the Dry Creek Preserve.

Mayor Pro Tem Bessinger commented attending a funeral for Frances Qualls, the first female police officer for the City of Clovis. He commented on Clovis Night Out and its success. He thanked Personnel / Risk Manager Lori Shively for her support of his requests.

7:33 ITEM 5A - CLOSED SESSION

<u>Government Code Section 54956.9(a)</u> CONFERENCE WITH LEGAL COUNCIL- EXISTING LITIGATION Workers Compensation Case in Regards to: Richard Collins

ADJOURNMENT

Mayor Whalen adjourned the meeting of the Council to October 9, 2017

Meeting adjourned: 7:40 p.m.

Mayor

City Clerk

AGENDA ITEM NO: \_ City Manager: CC-C-1



# CITY of CLOVIS

# REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Community & Economic Development

DATE: October 9, 2017

- SUBJECT: Approval Amend Agreement with Habitat for Humanity Fresno County to Provide Inspection Services for Implementation of the Clovis Home Rehabilitation Grant Program.
- ATTACHMENT: (A) Professional Services Agreement

## CONFLICT OF INTEREST

None

#### RECOMMENDATION

Amend the agreement between the City of Clovis and Habitat for Humanity Fresno County to provide inspection services for the implementation of the Clovis Home Rehabilitation Grant Program to increase the per project fee from \$300 to \$500.

## BACKGROUND

On September 19, 2016, Clovis City Council approved an agreement between the City of Clovis and Habitat for Humanity (HFH) Fresno County to provide inspection services for the Clovis Home Rehabilitation Grant Program. The agreement stated that HFH would complete an initial inspection and a final inspection for each project at a cost of \$300 per project. Since that time, HFH's services to the program have increased significantly. Their services now include scheduling and performing initial inspections, preparation of a formal report which is used for bidding purposes, interim inspections as needed, provide technical assistance for contractor inquiries throughout each project, and schedule and perform a final inspection and obtain a homeowner satisfaction statement. It is requested that the contract be amended to increase the per project fee to \$500.

#### **FISCAL IMPACT**

The funds will be paid through grant funding, and have been budgeted in the 2017-18 budget. The total cost will be approximately \$30,000, varying based on the number of projects actually completed.

#### REASON FOR RECOMMENDATION

Habitat for Humanity Fresno County is a nonprofit with proven knowledge of construction, and can provide an inspector who is licensed as a general contractor through the State of California. The increase in the per project fee schedule will allow them to cover their actual costs in providing these increased services to Clovis.

#### ACTIONS FOLLOWING APPROVAL

Staff will submit the amended contract for the City Manager's approval.

Prepared by: Heidi Crabtree, Housing Program Coordinator

Submitted by: Andrew Haussler, Community and Economic Development Director

#### **PROFESSIONAL SERVICES AGREEMENT FOR INSPECTION SERVICES**

This Inspection Services Agreement ("Agreement") is entered into this \_\_\_\_\_\_ day of October, 2017, between the City of Clovis, a California general law city ("City") and Habitat for Humanity of Fresno County, a California non-profit corporation ("Consultant") with respect to the following recitals, which are a substantive part of this Agreement.

#### RECITALS

A. WHEREAS, City is the recipient of a grant from the U.S. Department of Housing and Urban Development, a portion of which provides for the repair of health and safety deficiencies in the owner-occupied homes of low and very low income homeowners (the "Grant").

B. WHEREAS, City desires to contract with Consultant for Inspection Services for the repair of approved homes within the City of Clovis, in accordance with the terms of the Grant.

C. WHEREAS, Consultant is engaged in the business of furnishing such Services and hereby warrants and represents that it is qualified, licensed, and professionally capable of performing the Services.

D. WHEREAS, City desires to retain Consultant, and Consultant desires to provide the City with the Services, on the terms and conditions as set forth in this Agreement.

NOW, THEREFORE, in consideration of the promises and mutual agreements herein, City and Consultant agree as follows:

#### **AGREEMENT**

1. <u>Scope of Services</u>. Consultant shall provide Inspection Services for the repair of housing within the City of Clovis (the "Services") in accordance with the terms and conditions stated herein, with the terms and conditions of the Grant, and the terms and conditions of any other specifically referenced attachments hereto. The detailed Scope of Services to be completed by Consultant is listed in attached **Exhibit A**.

2. <u>Commencement of Services; Term of Agreement</u>. Consultant shall commence the Services upon City's issuance of a written "Notice to Proceed" and shall continue with the Services until Consultant, as determined by City, has satisfactorily performed and completed the Services, or until such time as the Agreement is terminated by either party pursuant to Section 16 herein, whichever is earlier.

3. <u>Payment for Services</u>. City shall pay Consultant in the amounts, and in accordance with the terms, set forth in **Exhibit A** for the Services performed pursuant to this Agreement. Upon Consultant's compliance with all terms for payment specified in **Exhibit A**, City shall tender payment to Consultant within thirty (30) days thereof.

4. <u>Independent Contractor Status</u>. Consultant and its subcontractors shall perform the Services as independent contractors and not as officers, employees, agents or volunteers of City. Nothing

# Attachment A

contained in this Agreement shall be deemed to create any contractual relationship between City and Consultant's employees or subcontractors, nor shall anything contained in this Agreement be deemed to give any third party, including but not limited to Consultant's employees or subcontractors, any claim or right of action against City.

5. <u>Standard of Care</u>. Consultant expressly represents it is qualified in the field for which Services are being provided under this Agreement and that to the extent Consultant utilizes subcontractors, such subcontractors are, and will be, qualified in their fields. Consultant and its subcontractors, if any, shall utilize the standard of care and skill customarily exercised by members of their profession, shall use reasonable diligence and best judgment while performing the Services, and shall comply with all applicable laws and regulations.

6. <u>Licenses</u>. Consultant expressly represents that both Consultant and its subcontractors, if any, are now, and will be throughout their performance of the Services under this Agreement, properly licensed or otherwise qualified and authorized to perform the Services required and contemplated by this Agreement. Consultant expressly represents that any construction manager(s) assigned by it, and any subcontractors used by it, to perform under this Agreement will at all times be licensed as a General Contractor by the State of California.

7. <u>Identity of Subcontractors and Sub-Consultants</u>. Consultant shall, before commencing any work under this Agreement, provide to City in writing: (a) the identity of all subcontractors and sub-consultants (collectively referred to as "subcontractors"), if any, Consultant intends to utilize in Consultant's performance of this Agreement; and (b) a detailed description of the full scope of work to be provided by such subcontractors. Consultant shall only employ subcontractors pre-approved by City and in no event shall Consultant replace an approved subcontractor without the advance written permission of City, with the understanding that City's permission will not be unreasonably withheld. Notwithstanding any other provisions in this Agreement, Consultant shall be liable to City for the performance of Consultant's subcontractors.

8. <u>Subcontractor Provisions</u>. Consultant shall include in its written agreements with its subcontractors, if any, provisions which: (a) impose upon the subcontractors the obligation to provide to City the same insurance and indemnity obligations that Consultant owes to City; (b) entitle City to impose upon subcontractors the assignment rights found elsewhere in this Agreement.

9. <u>Power to Act on Behalf of City</u>. Consultant shall not have any right, power, or authority to create any obligation, express or implied, or make representations on behalf of City except as may be expressly authorized in advance in writing from time to time by City and then only to the extent of such authorization.

10. <u>Record Keeping; Reports</u>. Consultant shall keep complete records with respect to all matters covered under this Agreement. Consultant shall be responsible and shall require its subcontractors to keep similar records. To the extent provided by law, City shall be given free reasonable access to the records of Consultant and its subcontractors for inspection and audit purposes until the expiration of four (4) years after the furnishing of services under this Agreement.

11. <u>City Name and Logo</u>. Consultant shall not use City's name or insignia, photographs relating

to the City projects for which Consultant's services are rendered, or any publicity pertaining to the Consultant's services under this Agreement in any magazine, trade paper, newspaper, television or radio production or other similar medium without the prior written consent of City.

12. <u>Conflicts of Interest</u>. Consultant warrants that neither Consultant nor any of its employees have an interest, present or contemplated, in the Services. Consultant further warrants that neither Consultant nor any of its employees have real property, business interests or income that will be affected by the Services. Consultant covenants that no person having any such interest, whether an employee or subcontractor shall perform the Services under this Agreement. During the performance of the Services, Consultant shall not employ or retain the services of any person who is employed by the City or a member of any City Board or Commission.

13. <u>Non-liability of Officers and Employees</u>. No officer or employee of City shall be personally liable to Consultant, or any successors in interest, in the event of a default or breach by City for any amount which may become due Consultant or its successor, or for any breach of any obligation under the terms of this Agreement.

14. <u>City Right to Employ Other Consultants</u>. This Agreement is non-exclusive with Consultant. City reserves the right to employ other consultants in connection with the Services.

15. <u>Termination of Agreement</u>. This Agreement shall terminate upon completion of the Services, or earlier pursuant to the following.

a. <u>Termination by City: Without Cause</u>. This Agreement may be terminated by City at its discretion upon seven (7) days prior written notice to Consultant.

b. <u>Termination by City or Consultant: For Cause</u>. Either party may terminate this Agreement upon thirty (30) days prior written notice to the other party of a material breach, and a failure to cure within that time period.

c. <u>Compensation to Consultant Upon Termination</u>. In the event termination is not due to fault attributable to Consultant, and provided all other conditions for payment have been met, Consultant shall be paid compensation for services performed prior to notice of termination. As to any phase partially performed but for which the applicable portion of Consultant's compensation has not become due, Consultant shall be paid the reasonable value of its services provided. In the event of termination due to Consultant's failure to perform in accordance with the terms of this Agreement through no fault of City, City may withhold an amount that would otherwise be payable as an offset to City's damages caused by such failure.

d. <u>Effect of Termination</u>. Upon receipt of a termination notice (or completion of this Agreement), Consultant shall: (i) promptly discontinue all Services affected (unless the notice directs otherwise); and (ii) deliver or otherwise make available to the City, without additional compensation, all data, documents, procedures, reports, estimates, summaries, and such other information and materials as may have been accumulated by the Consultant in performing this Agreement, whether completed or in process. Following the termination of this Agreement for any reason whatsoever, City shall have the right to utilize such information and other documents, or any other works of authorship fixed in any tangible medium of expression, including but not limited to

physical drawings, data magnetically or otherwise recorded on computer disks, or other writings prepared or caused to be prepared under this Agreement by Consultant. Consultant may not refuse to provide such writings or materials for any reason whatsoever.

16. <u>Insurance</u>. Consultant, and any and all subcontractors used by Consultant, shall satisfy the insurance requirements approved by the City's Risk Manager and City Attorney.

17. <u>Indemnity and Defense</u>. Consultant hereby agrees to indemnify, defend and hold the City, its officials, officers, employees, agents, and volunteers harmless from and against all claims, demands, causes of action, actions, damages, losses, expenses, and other liabilities, (including without limitation reasonable attorney fees and costs of litigation) of every nature arising out of or in connection with the alleged or actual acts, errors, omissions or negligence of Consultant or its subcontractors relating to the performance of Services described herein. Consultant's duty to defend and indemnify City shall exist even if the alleged injuries or damages sustained by the claimant are the result in part of City's active or passive negligence, but the duty to defend and indemnify City shall not extend to injuries or damages that are the result of City's sole negligence or willful misconduct.

Consultant's duty to defend shall immediately arise when a claim is asserted and/or a lawsuit is initiated against the City arising out of or occurring in connection with the alleged or actual acts, errors, omissions or negligence of Consultant or its subcontractors relating to the performance of Services described herein and regardless of whether others may owe the City a duty of defense and/or indemnity. Consultant and City agree that said indemnity and defense obligations shall survive the expiration or termination of this Agreement for any items specified herein that arose or occurred during the term of this Agreement.

18. <u>Assignment</u>. Neither this Agreement nor any duties or obligations hereunder shall be assignable by Consultant without the prior written consent of City. In the event of an assignment to which City has consented, the assignee shall agree in writing to personally assume and perform the covenants, obligations, and agreements herein contained. In addition, Consultant shall not assign the payment of any monies due Consultant from City under the terms of this Agreement to any other individual, corporation or entity. City retains the right to pay any and all monies due Consultant directly to Consultant.

19. <u>Form and Service of Notices</u>. Any and all notices or other communications required or permitted by this Agreement or by law to be delivered to, served upon, or given to either party to this Agreement by the other party shall be in writing and shall be deemed properly delivered, served or given by one of the following methods:

a. Personally delivered to the party to whom it is directed. Service shall be deemed the date of delivery.

b. Delivered by e-mail to a known address of the party to whom it is directed, provided the e-mail is accompanied by a written acknowledgment of receipt by the other party. Service shall be deemed the date of written acknowledgement.

c. Delivery by a reliable overnight delivery service, ex., Federal Express, receipted, addressed to the addressees set forth below the signatories to this Agreement. Service shall be deemed the date of delivery.

d. Delivery by deposit in the United States mail, first class, postage prepaid. Service shall be deemed delivered seventy-two (72) hours after deposit.

Information for notice to the parties to this Agreement at the time of endorsement of this Agreement is as follows:

CITY OF CLOVIS	HABITAT FOR HUMANITY
Heidi Crabtree	FRESNO COUNTY
Housing Program Coordinator	Matthew Grundy
1033 Fifth Street	Executive Director
Clovis, CA 93612	4991 E. McKinley, Suite 123
(559) 324-2094	Fresno, CA 93727
(559) 324-2840 (Fax)	(559) 237-4102
	(559) 456-9192 (Fax)

20. <u>Entire Agreement</u>. This Agreement, including the attachments, represents the entire Agreement between City and Consultant and supersedes all prior negotiations, representations or agreements, either written or oral with respect to the subject matter herein. This Agreement may be amended only by written instrument signed by both City and Consultant.

21. <u>Successors and Assigns</u>. This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

22. <u>Authority</u>. The signatories to this Agreement warrant and represent that they have the legal right, power, and authority to execute this Agreement and bind their respective entities.

23. <u>Severability</u>. In the event any term or provision of this Agreement is declared to be invalid or illegal for any reason, this Agreement will remain in full force and effect and will be interpreted as though such invalid or illegal provision were not a part of this Agreement. The remaining provisions will be construed to preserve the intent and purpose of this Agreement and the parties will negotiate in good faith to modify any invalidated provisions to preserve each party's anticipated benefits.

24. <u>Applicable Law and Interpretation and Venue</u>. This Agreement shall be interpreted in accordance with the laws of the State of California. The language of all parts of this Agreement shall, in all cases, be construed as a whole, according to its fair meaning, and not strictly for or against either party. This Agreement is entered into by City and Consultant in the County of Fresno, California. Consultant shall perform the Services required under this Agreement in the County of Fresno, California. Thus, in the event of litigation, venue shall only lie with the appropriate state or federal court in Fresno County.

25. <u>Amendments and Waiver</u>. This Agreement shall not be modified or amended in any way, and no provision shall be waived, except in writing signed by the parties hereto. No waiver of any

provision of this Agreement shall be deemed, or shall constitute, a waiver of any other provision, whether or not similar, nor shall any such waiver constitute a continuing or subsequent waiver of the same provision. Failure of either party to enforce any provision of this Agreement shall not constitute a waiver of the right to compel enforcement of the remaining provisions of this Agreement.

26. <u>Third Party Beneficiaries</u>. Nothing in this Agreement shall be construed to confer any rights upon any party not a signatory to this Agreement.

27. <u>Execution in Counterparts</u>. This Agreement may be executed in counterparts such that the signatures may appear on separate signature pages. A copy or an original, with all signatures appended together, shall be deemed a fully executed Agreement.

28. <u>Alternative Dispute Resolution</u>. If a dispute arises out of or relating to this Agreement, or the alleged breach thereof, and if said dispute cannot be settled through negotiation, the parties agree first to try in good faith to settle the dispute by non-binding mediation before resorting to litigation or some other dispute resolution procedure, unless the parties mutually agree otherwise. The mediator shall be mutually selected by the parties, but in case of disagreement, the mediator shall be selected by lot from among two nominations provided by each party. All costs and fees required by the mediator shall be split equally by the parties, otherwise each party shall bear its own costs of mediation. If mediation fails to resolve the dispute within thirty (30) days, either party may pursue litigation to resolve the dispute.

Demand for mediation shall be in writing and delivered to the other party to this Agreement. A demand for mediation shall be made within reasonable time after the claim, dispute or other matter in question has arisen. In no event shall the demand for mediation be made after the date when institution of legal or equitable proceedings based on such a claim, dispute or other matter in question would be barred by California statues of limitations.

Now, therefore, the City and Consultant have executed this Agreement on the date(s) set forth below.

29. <u>Non-Discrimination</u>. Consultant shall not discriminate on the basis of any protected class under federal or State law in the provision of the Services or with respect to any Consultant employees or applicants for employment. Consultant shall ensure that any subcontractors are bound to this provision. A protected class, includes, but is not necessarily limited to race, color, national origin, ancestry, religion, age, sex, sexual orientation, marital status, and disability.

Signatures on Next Page

#### HABITAT FOR HUMANITY OF FRESNO COUNTY

#### CITY OF CLOVIS

By:\_\_\_\_\_

ie.

Matthew Grundy, Executive Director

Date:\_\_\_\_\_

By:\_\_\_\_\_ Randy Kammerer, Board Chairman

Date:\_\_\_\_\_

By:\_\_\_\_\_ Robert Woolley, City Manager

Date:\_\_\_\_\_

ATTEST:

John Holt, City Clerk

.

APPROVED AS TO FORM:

By:\_\_\_\_\_ David J. Wolfe, City Attorney

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# EXHIBIT A DESCRIPTION OF SERVICES

#### A. General Duties and Responsibilities.

Consultant will administer inspection services in accordance with the requirements of this Agreement, in accordance with the terms of the Grant, and in accordance with the reasonable care of a professional inspector in the circumstances of this project. All services Consultant performs under this Agreement shall be conducted in a manner consistent with the terms of this Agreement and with the level of care and skill ordinarily exercised by inspectors on similar projects in California with similar complexity and with similar agreements, who are specially qualified to provide the services the City requires. Consultant shall conduct all services in conformance to, and compliance with, all applicable Federal, State and local laws, including but not limited to statutes, decisions, regulations, building or other codes, ordinances, charters, the Americans with Disabilities Act ("ADA"), the California Public Contract Code, the California Labor Code, the California Civil Code, and the California Government Code.

#### B. Specific Duties and Responsibilities.

Specifically, Consultant shall be responsible for the following:

1. Within seven (7) days of notification from City staff (i.e. Housing Program Coordinator) of an applicant with preliminary program approval for home repair, the Consultant's inspector shall schedule an initial inspection of the home with the homeowner/applicant, and shall notify City staff of the inspection appointment.

2. The inspector will conduct the initial inspection of the home, and prepare a scope of work based on the most critical repair needs (including applicability of all required permits) for the repair of the unit. The scope of work and photographs of the deficiencies shall be provided in a report format to City staff within seven (7) days of the initial inspection of the unit.

6. After the construction contract is fully executed and work begins, the construction manager shall ensure that work is progressing on schedule and that it is being performed in accordance with the requirements of the construction contract.

7. The inspector shall conduct an inspection whenever the contractor submits a request for change order. Change order requests shall require the approval of both the construction manager and the City staff. The inspector shall conduct an interim inspection when requested by City staff or a contractor completing the repairs.

10. Once notified by City staff that a final invoice has been received from the contractor, the inspector shall conduct a final inspection of the unit and prepare a punch list of outstanding and/or uncompleted items, if applicable. If a list of outstanding items is prepared, the inspector shall conduct a subsequent inspection to ensure that all items on the list have been completed.

11. The inspector shall obtain a statement of satisfaction from the homeowner upon final completion of the project.

12. The inspector shall submit to City staff the homeowner's statement of satisfaction, and a verification of completion.

13. Consultant will be paid a flat rate of <u>\$500.00</u> per completed housing unit. City will tender payment to consultant within thirty (30) days of submission of all documents set forth in Item 12 of this Subsection B of this Exhibit.

#### C. <u>Staffing</u>.

Consultant shall provide sufficient staffing to timely perform its duties and responsibilities under this Agreement, including coordination of the work to optimize efficiency and minimize conflict and interference between the various contractors on-site, and, if applicable, City's own forces. All of the Consultant's personnel shall be qualified to perform the services they provide for the project(s). City may, upon fifteen (15) days written notice, cause Consultant to remove a person from the project(s) if he/she has failed to perform to City's satisfaction. Consultant shall provide a construction manager with authority to commit resources of Consultant to monitor, manage and administer all aspects of this Agreement to help achieve the completion of all construction.

#### D. Trivial Variations in the Work.

The Consultant may authorize trivial variations in the work from the requirements of the prime contract documents that (a) do not involve an adjustment in the contract price or the contract time, and (b) are consistent with the overall intent of the contract document.

#### E. Quality Review and Inspections.

The Consultant shall establish and implement a comprehensive program to monitor the quality of the construction, as part of the Consultant's supervision of all contractors, subcontractors and their work. The purpose of the program shall be to assist in guarding the City against work by a contractor or subcontractor that does not conform to the requirement of the prime contract documents.

AGENDA ITEM NO: <u>CC</u>-City Manager: <u>C</u>

CC-C-2



# CITY of CLOVIS

# REPORT TO THE CITY COUNCIL

- TO: Mayor and City Council
- FROM: Community and Economic Development
- DATE: October 9, 2017
- SUBJECT: Receive and File Business Organization of Old Town (B.O.O.T.) First Quarter Report, July through September 2017

ATTACHMENTS: (A) Business Organization of Old Town (B.O.O.T.) First Quarter Report, July through September 2017

#### CONFLICT OF INTEREST

None

#### RECOMMENDATION

That the City Council receive and file the B.O.O.T. First Quarter Report, July through September 2017.

#### EXECUTIVE SUMMARY

According to the 2017–2018 agreement between the City of Clovis and the Business Organization of Old Town, B.O.O.T. is to submit quarterly reports to the City Manager and City Council. The amount to be funded is \$11,250.

#### BACKGROUND

According to the 2017-2018 agreement between the City of Clovis and the Business Organization of Old Town, B.O.O.T. is to submit quarterly reports to the City Manager and City Council detailing progress of B.O.O.T.'s promotional and marketing activity. Attached, as Attachment "A", is the First Quarter Report covering July through September 2017 activities. The amount to be funded is \$11,250.

12:11 PM - 9/28/2017

City Council Report BOOT 1st Q Report 2017 October 9, 2017

#### **FISCAL IMPACT**

The amount to be funded is \$11,250, which is called out in the 2017-2018 Budget.

#### **REASON FOR RECOMMENDATION**

The attached report meets the requirement established in the 2017-2018 agreement between the City of Clovis and the Business Organization of Old Town.

#### **ACTIONS FOLLOWING APPROVAL**

Staff will process payment to B.O.O.T.

- Prepared by: Shawn Miller, Business Development Manager
- Submitted by: Andrew Haussler, Community & Economic Development Director



# Business Organization of Old Town Quarterly Agreement/Compliance Report 1st Quarter – July 1 through September 30, 2017

In accordance with the Agreement between City of Clovis/Community & Economic Development Department and the Business Organization of Old Town Clovis for the fiscal year 2017-2018, the following items have been accomplished to date.

#### Goal #1:

Maintain a viable organization with membership reflective of the diversity of Old Town Clovis.

#### **Objective:**

- To maintain current level of membership and seek new members each year.
- To unite the merchants of Old Town as a group of businesses working together for the betterment of the whole downtown district.

#### Strategy:

- Provide information on the website about B.O.O.T., B.O.O.T. membership, benefits of membership and application forms year round.
- Personal visits to businesses in the PBIA to recruit and retain memberships.
- Contact with businesses outside the PBIA to recruit and retain Associate Memberships/"Friends of B.O.O.T."
- Allow members to pay dues monthly, quarterly or semi annually.
- Create a benefits package to attract both regular and associate members.
- Design benefits that will be exclusive to B.O.O.T. membership.
- Attract Members to a co-op advertising program that runs in the 4<sup>th</sup> quarter of the year and at other times if funds are available.
- Plan and post meeting notices for monthly B.O.O.T. membership meetings.
- Advertise frequently to promote Old Town Clovis on behalf of all merchants.
- Enhance existing programs to draw more people to Old Town.

#### Results:

- A membership and organization characteristic of Old Town Clovis. Currently membership is at 78. (This is down due to not following up with invoices to nonpaying members. These members requested having their checks picked up in the future.
- New Members are sought throughout the year and new businesses are invited to join.
- All new businesses coming to Old Town have joined as members.
- The 2018 campaign will start in November 2017. Members meet at a local restaurant on the 4<sup>th</sup> Wednesday of each month 6:30pm.

# Attachment A

- Board of Directors meetings have been changed to the 4<sup>th</sup> Wednesday of each month at noon to discuss issues pertinent to the organization, i.e. status of B.O.O.T members, review finances and report on events.
- Board members represent our diverse merchant groups: office professional, property owners, restaurants, bars, antique, and gift and specialty stores. The 2017 Board of Directors is as follows:
  - Cora Shipley, President (through 2018)
  - Tom Frost, Vice President (through 2017)
  - Larry Baumeister, Secretary (through 2017)
  - Sheryl Michael, Treasurer (through 2018)
  - Karen Chisum, Director at Large (through 2018)
  - Brian Smart, Director at Large (through 2017)
  - Ronnie Silva, Director at Large (through 2018)
- The Marketing and Event Committee continues to create new events and activities specifically designed to bring customers directly into the businesses.

#### Goal #2:

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#### Maintain Old Town Clovis' promotional activities

#### **Objective:**

- Successfully manage, promote, and operate events in Old Town Clovis, as well as create new events on an ongoing basis that attract visitors to Old Town Clovis.
- To provide a quality event giving people a reason to visit the downtown district.
- To showcase Old Town Clovis as a shopping and dining destination.
- To develop marketing strategies to keep Old Town competitive with malls and other shopping areas.
- To attract customers and visitors, both old and new, to the downtown district.
- To present Old Town Clovis as an attractive, appealing, friendly, and inviting business community.

#### Strategy:

- Develop, operate, promote, maintain and pay for events that bring people to Old Town Clovis.
- Establish and maintain events that highlight Old Town Clovis locally, nationally and internationally.
- Meet all requirements set by City, State and other agencies for activities, events and attractions.
- Develop new events and activities like One Enchanted Evening, the Wine Walks and the Craft Beer Crawls to bring visitors directly into the businesses.
- B.O.O.T contracts with Archer & Hound Advertising Agency to secure best prices and practices for promoting Old Town Clovis events, merchants and Old Town as a whole.
- Continue to evolve events so they continue to attract new people.

 Contract with entertainers that have a following and will bring new people to Old Town.

#### Results:

- Summer events included the Year Round Saturday Morning Farmers Market, Friday Night Farmers Market, the Peach Party, the North American Pole Vault Championships, the Realty Concepts Party, the Pistachio Party, the Craft Beer Crawl and the Fall Antiques Fair with the British Car Roundup. Higher than normal temperatures impacted the July and August events, but the cooling temperatures in mid-September helped increase attendance and sales. We added additional classic cars and international performers (Polynesian Dancers, Belly Dancers, Flash Mob, the Scottish Society) to the Farmers Market to add extra value to each Friday night and bring in new customers to Old Town.
- Old Town partnered with De Young Properties to furnish and decorate a Model Home in Clovis with items provided by Old Town Clovis merchants. The project is cross promoted in both the Model Home, directing people to Old Town, and in the participating stores, directing people to the Model Home. Archer & Hound has promoted the collaboration on Social Media and direct emails. A Facebook Quiz was created to grab potential buyer information for De Young. De Young Properties also sponsored the Fall Antiques Fair and will sponsor the October Glorious Junk Days.

#### Goal #3:

Maintain marketing strategies, including safety and appearance, and advertising techniques to position the image of Clovis through Old Town Clovis' unique character.

#### **Objective:**

- Create a broad awareness of Old Town Clovis.
- Establish Old Town Clovis as an immediate, intermediate and end destination.
- Retain the established customer base.
- Reach out to Central California so that more people become aware of what Clovis offers.
- Work with City Officials to maintain a safe, crime free area where people feel safe and like bringing their families to Old Town.

#### Strategy:

- Archer & Hound has been hired to handle all marketing for Old Town Clovis and member businesses.
- Secure multi-media advertising campaigns to promote Old Town Clovis along with event generated promotions.
- Submit calendar of events to community and online calendars.
- Use Twitter, Instagram, Pinterest, Snap Chat and Facebook to promote Old Town Clovis in general, merchant businesses and specific events.
- Secure interview segments on radio and television.
- Contribute to the cost of the Clovis Appliance/General Electric ABC/30 Skycam at 5th and Pollasky when B.O.O.T. has sufficient funds (co-op advertising).
- Utilize cable tv advertising for antiques events.

- Print and distribute more than 20,000 event-specific postcards, in addition to over 30,000 Calendar of Events cards. Merchants and B.O.O.T. staff go to out-of-the-area antique events to solicit dealers to come to Old Town antique shows. Merchants also distribute these very popular cards to customers.
- Ongoing outreach to businesses to locate to Old Town Clovis.
- Work with City of Clovis Police and Fire Department to create a safe atmosphere in Old Town.
- Work with City of Clovis department heads to create a clean, well maintained streetscape in Old Town.

#### **Results:**

. . . . .

- Archer & Hound used nontraditional advertising avenues for our summer and fall events, including Digital Ads on Social Media and direct emails. They manage BOOT's social media postings, which resulted in a consistent message and branding.
- Archer and Hound created many media outreach "stories" for traditional TV opportunities that were carried by local TV and Radio and Print.
- Archer and Hound created "Snap Chat Filters" for our fall events. They also arranged for Instagram "take overs" that creates more excitement and greater reach.
- Facilitated wide exposure for Old Town Clovis, its events, character and appeal.
- Event generated advertising was assigned in cable TV, and Radio and social media to improve event attendance, vendor participation, as well as awareness of Old Town Clovis and our Merchants.
- The Clovis Appliance/General Electric skycam with ABC-30 Action News reaches approximately 684,700 people every week and approximately 400,000 monthly unique visitors online at abc30.com. Old Town Clovis is mentioned a minimum of 3 to 4 times per day on the news program during weather reports and if we have anything special going on in Old Town, i.e. Farmers Market, the camera will show the activity. B.O.O.T. contributes co-op advertising dollars when available.
- Stimulated customer and visitor traffic in Old Town, as evidenced by increase number of customers in town for all of our free events (weather and temperatures permitting).

#### Goal #4:

## Provide information on activities to the Tourism Advisory Committee.

#### Objective:

 Communicate information to sources essential for tourism opportunities, capturing disposable money from customers who have an option to spend it elsewhere.

#### Strategy:

- Participate as an active member of the Tourism Advisory Committee.
- Supply the Clovis Visitors Center with information regarding events, activities and leads for tour groups.
- Publish names and dates of tour groups through B.O.O.T. newsletter and email so businesses are prepared to show Old Town Clovis' hospitality.

- Provide information to merchants of Old Town regarding activities conducted in and around Old Town through the B.O.O.T. newsletter. The newsletter is emailed to those who sign up for the electronic newsletter on B.O.O.T.'s website. It is mailed to all known businesses within the PBIA twice a year.
- Communicate information to merchants on activities at the monthly B.O.O.T. membership meetings and through E-Blasts. Post events for all organizations in Clovis on B.O.O.T. Website and insure that if someone searches for an event, B.O.O.T.'s website is in the top results.
- Provide event information for visitclovis.com.
- Actively promote Old Town Clovis and Member Businesses on Facebook, Twitter, Instagram, Pinterest and B.O.O.T.'s website.

#### Results:

- Insured Old Town Clovis is recognized as a tourism destination.
- Businesses in Old Town showcased Old Town as a friendly and inviting throughout the spring and summer months.
- B.O.O.T. works directly with the Visitors Center to be sure they have current event information.

#### Goal #5:

Obtain and maintain Workers Compensation, State Disability, and Directors and Officers Policy as well as any other insurance coverage as required by law.

#### Objective:

 Qualify for Workers Compensation, State Disability coverage, General Liability and any and all required insurances.

#### Strategy:

- To meet all requirements of renewal; indemnify, hold harmless and defend the City of Clovis, Community and Economic Development Department, its officers, agents or employees.
- Submit for renewal Directors and Officers Insurance Policy through Philadelphia Insurance.
- Complete and submit for renewal the State Fund Compensation Insurance Fund policy information update to Valley Regional Insurance Services, Agent Ron Petersen.
- Submit for approval General Liability Insurance through Charity First an "A" rated Insurance company through Agent Ron Petersen, Valley Regional.

#### **Results:**

- Obtained General Liability Policy coverage period April 21, 2017 to April 21, 2018.
- State Fund Compensation Policy renewed for period April 1 2017 to April 1, 2018.
- Directors and Officers Policy will renew for period August 4, 2017 to August 4, 2018.
- Certificates of Insurance with Endorsements provided to the City of Clovis.

#### Goal #6: Annual compliance audit

#### **Objective:**

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- To successfully complete a compliance audit conducted by an independent auditor.
- Strategy:

- Efficiently maintain and preserve all records needed to demonstrate full compliance.
- Results:
  - The annual compliance audit took place in July 2017. The audit was conducted by Steve Cauthen, Classic Professional Services. The agreement between the City of Clovis, Community and Economic Development Department and the Business Organization of Old Town for July 1, 2016 through June 30, 2017 was reviewed. The attached letter from Classic Professional Services confirms contract compliance.

Financial Status:

See Balance Sheet Attached

#### SUMMARY:

Old Town Clovis plays a significant role in creating a favorable image for the City of Clovis. Growth within Old Town Clovis is one of the more important priorities to ensure the future and well-being of Clovis' Redevelopment Project Area. In order to continue the economic vitality of the central trading district, considerable time and effort has been invested in an effort to encourage new businesses to locate and expand in Old Town Clovis.

#### UPDATES TO THE PBIA:

- The Business Organization of Old Town represents many business and property owners and operators, within the central business district, who will be affected directly or indirectly by future business promotion efforts and seeks to strengthen the promotion of Old Town Clovis, thereby assuring its continued influence on economic growth in both Old Town Clovis and the City as a whole.
- The northern-most Centennial Plaza high rise building is now complete and Realty Concepts is in the process of moving in. The southern-most building is near completion.
- There are always changes taking place in Old Town Clovis. The following details most of these changes:

#### New Businesses within the PBIA

- Viva Boutique has moved into 453 Pollasky Avenue #107 in the Dewitt Building where Revival 23 used to be. (Viva Boutique is formerly Viva Vault from Fig Garden Village).
- Revival 23 moved into 416 Pollasky Avenue where Masters Gallery formerly was. Masters Gallery closed doors in June.
- The Urban Umbrella moved into 453 Pollasky Avenue #102 after their lease was not renewed on Fourth Street. This space was Madeleine's Bridal Market.

- Realty Concepts opened their new business at Centennial Plaza 565 N.
   Pollasky Avenue.
- o Hearts Delight has moved into 423 Pollasky Avenue.

. .

- Two Cities Coffee Roasters has moved into the former 559 Beer location at 608 Fourth Street.
- A1 Locksmith took over The Urban Umbrella's former space at 519 Fourth Street and will open a Stationery and Mailing Center there.
- Old Town Yoga at 325 Clovis Avenue is expanding their studio into an adjoining property at Saddleback Village.

# CLASSIC PROFESSIONAL SERVICES

September 22, 2017

Board of Directors Business Organization of Old Town Clovis

We have reviewed the agreement between the City of Clovis and the Business Organization of Old Town Clovis (B.O.O.T.) for the Parking and Business Improvement Area for the period of July 1, 2016 through June 30, 2017.

In connection with our review of the agreement, nothing has come to our attention that caused us to believe that B.O.O.T. failed to comply with the terms and provisions contained in the agreement.

This report is intended solely for the information and use of the board of directors for the Business Organization of Old Town Clovis and the City of Clovis and should not be used for any other purpose.

Steve Cauthen

1:58 PM 09/26/17

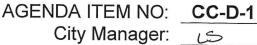
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Cash Basis

# Business Organization of Old Town Profit & Loss January 1 through September 26, 2017

	Jan 1 - Sep 26, 17
Income	
Bottle Shop Sales	5,141.00
City of Clovis / PBIA Funding	22,500.00
Event Income	127,009.63
FM Annual Membership	8,249.95
Fm Art Hop Fees	2,558.39
Fm Weekly Income	62,728.10
HD Fees	1,222.00
Interest Income	3.09
Membership	4,760.00
Merchandise Sales	530.00
Misc. Income	2,257.38
Sponsorships	49,425.00
Total Income	286,384.54
Expense	
Accounting	1,675.00
Advertising	74,751.25
Bank Fees	32.00
Bottle Shop	3,930.40
Business License & Taxes	3,715.22
Carriages	550.00
Credit Card Fees	1,594.23
Donations	7,300.00
Dues & Subscriptions	2,538.44
Entertainment	11,580.00
Equipment Purchase	1,370.67
Equipment Rentals	10,502.32
Glasses	7,044.80
Insurance	7,340.56
IOT Chef Fees	2,000.00
Labor	16,841.00
Line of Credit	969.64
Meetings	1,626.63
Merchandise Expense	6,336.85
Misc. Expense	1,087.30
Office Supplies	4,269,24
Payroll Expense	500.00
Payroll Expenses	80,829.34
Payroll Taxes	499.08
Postage	587.35
Printing	9,583.10
Rent	7,250.00
Repairs & Maintenance	1,599.42
	1,185.00
Security	6,296.16
Supplies Telephone	4,359.94
Utilities	181.09
otal Expense	279,926.03
Income	6,458.51

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# CITY of CLOVIS

# REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: **Finance Department** 

DATE: October 9, 2017

SUBJECT: Approval - Resolution 17-\_\_\_; Amending the 2017-18 Budget to Reappropriate Carryover Funding from the 2016-17 Budget.

ATTACHMENTS: Res. 17-Exhibit A - Summary of Expenditures Exhibit B - Description of Projects

# CONFLICT OF INTEREST

None.

## RECOMMENDATION

That the Council approve Resolution 17-\_\_\_; Reappropriating certain Capital Projects, Services and Capital Outlays from 2016-17 to 2017-18 by Fund and Department as shown on Exhibit A to the Resolution and as described on Exhibit B.

## EXECUTIVE SUMMARY

During the budget process estimates are made as to projects and services expected to be completed by year end. For a variety of reasons, some of these projects and services are not completed by June 30. These unspent funds are available for reappropriation to the next year. This request requires Council approval as it amends the next year's budget. These projects and services will be completed during the next year.

## BACKGROUND

As part of the preparation of the 2017-18 Annual Budget, certain projects in the Community Investment Program, capital outlays and services in the operation budgets were estimated to be completed by June 30, 2017, or at least contracts awarded or

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City Council Report Reappropriations October 9, 2017

purchase orders issued. Because of unforeseen delays or planned postponements for the purpose of cost savings, contracts or purchase orders were not awarded in Fiscal Year 2016-17 as originally anticipated. Because these projects were expected to be completed in 2016-17, they were not re-budgeted in 2017-18.

Included on Exhibit B is a description of the projects to be reappropriated from the various departments with the reason given by the department for the request for reappropriation.

#### **FISCAL IMPACT**

The estimated fund balances for the year-end 2016-17 included the anticipated expenditure of funds for these items. Since these items were not encumbered and the funds not expended, the year-end balances will be higher than expected. Sufficient resources are available to cover these expenditures.

#### **REASON FOR RECOMMENDATION**

In order to complete the planned projects and procure the necessary items, it is necessary to reappropriate the items for Fiscal Year 2017-18 to provide the budget authorization.

#### ACTIONS FOLLOWING APPROVAL

Purchase orders or contracts for the reappropriated items will be issued, in most cases, within ninety days.

Prepared by: Gina Daniels, Assistant Finance Director

Submitted by: Jay Schengel, Finance Director

Reappropriation 2017

City Council Report Reappropriations October 9, 2017

#### **RESOLUTION NO. 17-\_\_\_**

#### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS APPROVING AMENDMENTS TO THE 2017-18 BUDGET

WHEREAS, the City Council of the City of Clovis approved the 2017-18 Budget on June 12, 2017; and

**WHEREAS**, some capital projects were not commenced and capital outlays and services were not purchased in 2016-17; and

WHEREAS, the 2017-18 Budget assumed that the items would be completed and no provision was made for said items in the 2017-18 Budget and the Fund Balances were adjusted accordingly; and

**WHEREAS,** the ending June 30, 2017, Fund Balances will be greater by the amount of those items not commenced or purchased in 2016-17; and

WHEREAS, the Council desires that the items be completed.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Clovis that the 2017-18 Budget be amended as provided in Exhibit A for the "Summary of Expenditures by Fund" and the "Summary of Expenditures by Department".

\*

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED: October 9, 2017

Mayor

\*

**City Clerk** 

\*

City Council Report Reappropriations October 9, 2017

## **EXHIBIT A**

# SUMMARY OF REVENUES BY DEPARTMENT

<u>Department</u> Police	<u>\$</u>	<u>Amount</u> 81,000			
Total Revenue by Department	<u>\$</u>	81,000			
SUMMARY OF REVENUES BY FUND					
<u>Fund</u> General	<u>\$</u>	<u>Amount</u> 81,000			
Total Revenue by Fund	<u>\$</u>	81,000			
SUMMARY OF EXPENDITURES BY DEPARTMENT					
Fire City Clerk Capital Improvement Planning and Development Services General Services Public Utilities	\$	74,750 225,000 19,789,000 39,597 1,415,800 214,000			
Total Expenditure by Department	\$	21,758,147			
SUMMARY OF EXPENDITURES BY FUND					
Fund		American			

Fund	<u>Amount</u>
General	\$ 74,750
General Services	5,964,800
Refuse Enterprise	115,000
Street Cleaning Enterprise	10,000
Fleet	89,000
Transit	1,218,000
Planning and Development Services Enterprise	39,597
Sewer Construction-Enterprise	72,000
Sewer Construction-Developer	395,000
Park Improvement	155,000
Street Construction	9,600,000
Water Construction- Enterprise	407,000
Water Construction- Developer	203,000
Community Sanitation-Enterprise	 3,415,000
Total Expenditure by Fund	\$ 21,758,147
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Exhibit A

# 2016 - 2017 Reappropriations Operations and Capital Improvement Program

Department/Account Number	Description and Explanation	Amount
Police Department	Revenues	
Impound Tow Account 56300 46338		81,000
	Total Revenue Reappropriations =	\$ 81,000
Fire Department Vehicle Allowance 61000 63004	Budget revision	14,000
Medical Supplies 61000 63306	Medic program	7,000
Computer Program 61000 63307	Complete FireStats Dashboard	5,000
Service Awards 61000 63602	Issue finding vendor to duplicate award	1,000
Misc. Equipment Repair 61000 63450 61000 68420 63000 68420 64000 68420	Facilities project for doors Hose and nozzles replacement plan Roll over grant funds for items still not received	3,500 3,000 7,500 1,250
Protective Clothing 61000 64403	New hire PPE still comning in from May 17 orders	8,500
Tuition Reimbursements 61000 65101	Outstanding reimbursements from CFFA employees	12,000
Training Classes 61000 65102	Training pushed back because of wildland fires	6,500
Mobile Radios 61000 68602	Bendix King radios had to wait for new state bid to be awarded	1,500
Travel 63000 65001	New engine purchase was delayed until July 2017	4,000
Total Fire Department		74,750

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Department/Account Number	Description and Explanation	Amount
City Clerk Information Technology		
Central Processors 36200 68201	Server System Implementations (IFAS, VDI, DR storage) - in progress	85,000
High Speen Network Equipment 36200 68206	Network Equipment Replacements - in progress	30,000
CAD-Police Systems 36200 68260	Pending final purchases to complete project	55,000
Mobile Radios 36200 68602	Radio System - limited staff availability	55,000
Total City Clerk Department		225,000
General Services Department Transit		
Bus camera systems	Prop 1B moneys	
34700 68573 34800 68573		96,000 65,000
Buses	STA for bus purchase	
34700 68725		310,000 722,000
34800 68725		722,000
LCTOP for free ride days 34800 64107	On hold until fare boxes are working properly	25,000
Facilities		
Energy Management Upgrade (CC) 33300 63421	HVAC - Civic Center Limited staff availability	45,000
Energy Management Upgrade (PD) 33300 63421	HVAC - Police Limited staff availability	45,000
Energy Management Upgrade (PU) 33300 68735	Building Controllers Limited staff availability	45,000
Energy Management Upgrade (MW) 33300 68735	Energy Efficiency Projects Limited staff availability	25,000
Animal Control ADA Modular Office 33300 68574	Building Improve - ADA Limited staff availability	30,000
Animal Control Office Furniture	Furnishings	7,800
33400 68105 Total General Services Department	Limited staff availability	1,415,800
Disaming and Development Ore 1	Department	
Planning and Development Services Odell Planning and Research 74100 63301	Department Clovis Medicat Center Environmental Impact Report Report expected to take 1.5 years - 1/2 a year left	39,597
Total Planning and Development Serv	vices Department	39,597

Department/Account Number	Description and Explanation	Amount
Public Utilities Department		
Refuse		
Landfill	Landfill Methane Well Construction	75,000
76200 63301	Contract process taking longer than expected	
Residential	Routing Software and GPS Interface for Solid Waste	10,000
76110 68750	Contract has not been awarded yet	
Refuse - continued		
Commercial	Routing Software and GPS Interface for Solid Waste	15,000
76120 68750	Contract has not been awarded yet	
Community Clean Up	Routing Software and GPS Interface for Solid Waste	15,000
76130 68750	Contract has not been awarded yet	
	Devilen Defense and ODD laterface for Calid Marte	10.000
Street Cleaning	Routing Software and GPS Interface for Solid Waste	10,000
77500 68750	Contract has not been awarded yet	
leet		
Police car	Unspent amount of lease	25,000
75100 68701	•	sources Provide Automation Provide Automation Provide Automation Provide Automation Provide Automation Automatio Automation Automation
Crackfiller Machine	Difficulty finding one that satisfied Air District	64,000
75100 68506	regulations	
Total Public Utilities Department		214,000
Community Investment Department		
Bovernment Facilities		
Fire Station #2 - Window Replacement	Replace windows	14,000
90000 - 71075	In progress	
Fire Station #3 -Remodel	Garage Door Replacement	8,000
90000 - 71076	In progress	
Civic Center Hydronic Waterline	Replace Hydronic Waterline	80,000
90000 - 71232	Limited staff availability.	
Civic Center North District	Civic Center North site improvements / Senior Center	2,065,000
90000 - 71325	In progress	
Rotary Park Irrigation Upgrades	Upgrade irrigation system at Rotary Park	52,000
90000 - 71351	In progress	
Treasure Ingmire Park Restroom	Replace restroom at Treasure Ingmire Park	265,000
90000 - 71352	In progress	
Helm Ranch Park Improvements	Install play area shade structure	44,000
90000 - 71353	In progress	
Railroad Park Improvements	Install play area shade structure	63,000
90000 - 71354	In progress	
Civic Center Landscape	Design for City Hall/Civic Center Campus Improvements.	110,000

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Department/Account Number	Description and Explanation	Amount
Government Facilities - Continued Sierra Bicentennial Park Restroom 90000 - 71375	Replace south restroom arbor In progress	55,000
Civic Center ADA Improvements 90000 - 71392	Civic Center ADA improvements Limited staff availability.	109,000
ADA Master Planning - City Facilities 90000 - 71397	ADA improvements to City owned facilities. In progress	25,000
Transit Station 90000 - 71428	Design and Construct new Transit Building In progress	1,672,000
Fire Station 6 90000 - 71435	Property Acquisition for Fire Station Site In progress	228,000
Fiber Optics Installation 90000 - 71450	Miscellaneous fiber installations In progress	19,000
Police/Fire Training Site - Generator 90000 - 71451	Relocate existing emergency generator to site In progress	44,000
Public Safety Facility - Flooring Repair 90000 - 71453	Repair flooring at designated locations In progress	60,000
Public Safety Records Counter Window 90000 - 71455	Install Window at records counter In progress	20,000
Fire Logistics Building 90000 - 71458	Remodel fire logistics building In progress	47,000
Police/Fire Headquarters Reroof 90000 - 71459	Repare rooof covering under existing tile roof covering In progress	340,000
Old Town Streetscape Improvements 90000 - 71460	Add tree wells on pollasky Avenue In progress	73,000
Pet Addoption Emergency Generator 90000 - 71540	Install Emergency Generator In progress	84,000
Letterman Park Irrigation System 90000 - 75191	Replace Irrigation System Limited staff availability.	65,000
Sewer Capital Projects - Enterprise F Paula Ave Sewer at Gettysburg 91000 - 72582	<b>Fund</b> Replace Sewer main In progress.	72,000
Sewer Capital Projects - Developer F Pump Station E Pump Addition 92000 - 72597	Add a pump at pump station 'E' In progress.	150,000
Temperance Nees - Big Dry Creek 92000 - 73360	Easements for Dry Creek Diversion Channel In progress.	95,000
Harlan Recycled Water Pipeline 92000 - 73380	Install connection for recycled water to Harlan Ranch In progress.	150,000

Department/Account Number	Description and Explanation	Amount
Park Improvements SR168/Enterprise Canal Bridge 93000 - 74980	Pedestrian Bridge over SR168/ Enterprise Canal In progress	140,000
Temperance/Sierra Playlot 93000 - 76071	Playlot at Temperance/Sierra Park In progress	15,000
Street Improvements		
ADA Transit Project 95000 - 74016	Install Transit bus shelters Under construction.	37,000
Shaw - Locan to DeWolf 95000 - 74049	Signal and street widening Under Construction - Regional Measure C funded	2,000,000
Shaw - DeWolf to McCall 95000 - 74057	Street widening and signals Under design - Regional Measure C funded	2,500,000
Herndon - Temperance to DeWolf 95000 - 74184	Design and Environmental - street widening Under design - Regional Measure C funded	1,210,000
Peach Avenue Sidewalk 95000 - 74216	Street shoulder and sidewalk improvements Under design - RSTP funded	50,000
Minnewawa/Cherry Lane Alley 95000 - 74460	Alley surface improvements Under construction - CDBG funded	70,000
Leonard-Enterprise Canal 95000 - 74529	Replace bridge at canal HBRR funded. Currently in Design/Environmental	305,000
Shepherd/Minnewawa Traffic Signal 95000 - 74547	Install signal In Progress - CMAQ funded.	200,000
Trail Pavement Maintenance 95000 - 74561	Slurry sections of Old Town Trail In progress	30,000
Sunnyside - South of Nees 95000 - 74565	Widen Sunnyside Ave. In progress	230,000
Willow - Shepherd to Copper 95000 - 74566	Street widening and signals Under design - Regional Measure C funded	1,865,000
Local Street ADA ramps 95000 - 74567	ADA improvements at various City ramps. In Progress	125,000
Owen's Mountain Roundabout 95000 - 74588	Roundabout at Temperance and Owen's Mountain In design - CMAQ funded	60,000
Owen's Mountain Parkway 95000 - 74589	Street widening and extention In design - RSTP funded	50,000
Pavement Management System 95000 - 74975	Development of the pavement management system. Coordinate with other projects in 2017-18.	25,000
Local Streets 95000 - 74995	Rehabilitation of various local neighborhood streets. In progress	800,000
Cherry Lane/ Oxford Alley 95000 - 76430	Alley surface improvements Under construction - CDBG funded	43,000
Water Capital Projects - Enterprise F Well 11 Improvements 96000 - 77351	Fund Drill and Develop Well site In Progress	407,000

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Department/Account Number	Description and Explanation	Amount
Water Capital Projects - Developer Enterprise Canal/Fancher Creek Imp. 97000 - 77533	Concrete flume improvements. FID lead agency for construction.	110,000
Well 34 Aux Power 97000 - 77587	Generator at well Site 34 In progress	18,000
Enterprise Canal Improvements 97000 - 77715	Construct Improvements to Enterprise Canal. Cost sharing with FID in progress.	75,000
Community Sanitation Improvemen Landfill Entrance 99500 - 81125	<b>ts - Enterprise Fund</b> Construct left turn lane into landfill entrance In Progress	185,000
Landfill Office 99500 - 81126	New Office Building on west end of landfill In Progress	640,000
Landfill Parking and Storage 99500 - 81127	New parking area and covered vehicle storage In Progress	175,000
Landfill Electric Power 99500 - 81170	Extension of power to west end of property In Progress	175,000
Landfill Transfer Station 99500 - 81205	Aquire and construct a Refuse Transfer Station In Progress	1,500,000
CNG Station Improvements 99500 - 81210	Increase the capacity of the city CNG station In Progress	740,000
Total Community Investment Program	n Denartment	19,789,000

Total Community Investment Program Department

19,789,000

Total Expenditure Reappropriations = \$21,758,147



City Manager:

CC-D-2

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# CITY of CLOVIS

## REPORT TO THE CITY COUNCIL

- TO: Mayor and City Council
- FROM: Finance Department

DATE: October 9, 2017

- SUBJECT: Approval Res. 17-\_\_\_, Approving the 2017-2018 Local Transportation Fund Claim to the Council of Fresno County Governments.
- ATTACHMENTS: Draft Resolution Exhibit A – Attachment to the LTF Claim Form

#### CONFLICT OF INTEREST None

## RECOMMENDATION

That the Council approve Resolution 17-\_\_, approving the submittal of the 2017-2018 Local Transportation Funding Claim.

## **EXECUTIVE SUMMARY**

Each year the City of Clovis is required to submit an annual transportation claim for the Local Transportation Fund of Fresno County to the Council of Fresno County Governments (COG) to receive funds provided through the Transportation Development Act (TDA) of 1971. The claim is prepared in accordance with the City's annual budget. After the LTF claim is adopted by Resolution of the City Council, the claim is submitted to COG for adoption by Resolution of the COG board. After approval, the City will begin to receive the funds apportioned by COG for the 2017-18 fiscal year.

## BACKGROUND

Each year the City files a claim with the Council of Fresno County Governments (COG) to receive funds provided through the Transportation Development Act (TDA) of 1971. The claim provides information on the various sources that are used to fund the transit operation and to fund bicycle/pedestrian projects.

The claim is normally based on the current year budget. However, circumstances have changed since the budget was prepared and the claim is based on the best available information.

In order for COG to allocate the LTF funds, the claim needs to be submitted to COG for approval. The claim allocates the available funds based on the final estimated allocation received from COG in May 2017.

## FISCAL IMPACT

The LTF funds are budgeted in 2017-18 based upon the final estimated allocation received from COG in May 2017. Approval of the claim by the Council will allow the City to receive the funds.

#### REASON FOR RECOMMENDATION

To allocate the funds in accordance with the 2017-2018 estimates, it is necessary to submit the LTF claim to COG for approval. Approval of the claim by the Council for submittal is required.

### ACTIONS FOLLOWING APPROVAL

After Council approval, the claim will be filed with COG.

Submitted by: Jay Schengel, Finance Director

City Council Report LTF Claim 17-18 October 9, 2017

## **RESOLUTION NO. 17-\_\_\_\_**

## A RESOLUTION OF THE COUNCIL OF THE CITY OF CLOVIS, CALIFORNIA, APPROVING SUBMISSION OF A CLAIM FOR FUNDS UNDER THE LOCAL TRANSPORTATION FUND OF FRESNO COUNTY FOR FISCAL YEAR 2017-2018

**RESOLVED** by the City Council (the "Council") of the City of Clovis (the "City"), County of Fresno, State of California, that:

**WHEREAS**, the City of Clovis is required to submit an annual transportation claim for the Local Transportation Fund of Fresno County for the fiscal year 2017-2018; and

WHEREAS, the Council of Fresno County Governments has the authority to review claims and allocate such funds in accordance with the Transportation Development Act of 1971 and Chapter 3 of Title 30 of the California Administrative Code; and

**WHEREAS**, the City of Clovis has approved the 2017-2018 Budget for expenditures for 2017-2018; and

**WHEREAS**, the Transportation Act of 1971 requires certain findings and declarations regarding transit needs and conformance with Article 8, Chapter 1400, Statutes 1971 and applicable rules and regulations.

**NOW, THEREFORE, IT IS HEREBY ORDERED**, that the City Council of the City of Clovis hereby authorizes submittal of its Claim for Local Transportation Funds, as attached as Exhibit A, in the amount of \$5,523,638.00 for purposes allowed under Articles 3, 4, 4.5, and 8 of the Transportation Act of 1971.

#### \* \* \* \* \* \*

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis October 9, 2017, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATE:	October 9,	2017
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Mayor

City Clerk

LTF Claim 17-18

9/29/2017 1:14:49 PM

Claimant Name: City of Clovis

## **TRANSPORTATION FUNDING CLAIM FOR FISCAL YEAR: 2017/18**

Instructions: Please note that each page of this claim is a separate worksheet, please click through all tabs and complete. Also note that light yellow fields require an entry if applicable, light grey fields contain formulas that will automatically calculate based on corresponding entries. A date and claimant name field is at the top of the first page, and automatically repeats on following pages, (date should be formatted 00/00/0000)

When completed, please print, sign and send signed original via mail to:

Les Beshears, Director of Finance, Fresno Council of Governments, 2035 Tulare Street, Suite 201, Fresno, CA 93721

From: Applicant:	City of Clovis	
Address:	1033 Fifth Street	
City/State/Zip:	Clovis. CA 93612	
Contact Phone/email:	Jay Schengel / 559-324-2113	

This applicant is an eligible claimant pursuant to Section 99203 of the Public Utilities Code and certifies that the following transportation funds are available to be claimed:

Local Transportation Fund		
Apportionment:	\$	3,878,694
Unexpended, Held by Claimant:		
County 4.5 Contribution	\$	11,766
County Contract for Tarpey Roundup:	\$	85,068
State Transit Assistance Fund		
Estimate:	\$	449,497
Other Agency:		
Other		
Audit Exception/Impairment (required General Fund Payback):		
Other:		
Five Million, Five Hundred and Twenty-Three Thousand, Six Hundred and Thirty Eight		TOTAL
Dollars	\$	5,523,638
spell out total amount in above cell		
for the purposes and respective amounts specified in the attached claim be drawn from	l th	e Local
Transportation Fund and State Transit Assistance Fund.		
Please print and sign after completing form		
$\bigcirc$		
Authorized Signature: / / ////		
Name/Title: ( )Luke Serpa, City Manager		



Date:

10/9/2017

2035 Tulare St., Ste. 201 tel 559-233-4148 Fresno, California 93721 fax 559-233-9645

www.fresnocog.org

Enter Date:	10/9/2017
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## TRANSPORTATION FUNDING CLAIM DETAIL FOR FISCAL YEAR: 2017/18

PURPOSE		AMOUNT	SUBTOTAL
1. Bicycle & Pedestrian	Facilities:		
	Article 3:	\$ 77,624	]
	Article 8a:	<u>+</u>	1
	Audit Exceptions (General Fund Payback);		
	Unexpended Funds, Held by Claimant:		
			\$ 77,624
2. Regional Transportat	ion Planning:	\$ 108,402	\$ 108,402
	·		ĩ
3. Public Transportation		\$3,257,322	
	Article 8c:		
	Tarpey Roundup County Contract:	\$ 85,068	
	Other Agency:	<b>A</b> 110 107	
	State Transit Assistance Funds (STA):	\$ 449,497	
	Audit Exceptions (General Fund Payback):		
	Unexpended Funds, Held by Claimant:	\$ 1,098,613	¢4,000,500
			\$4,890,500
4. Community Transit Se	ervice CTSA, Article 4.5:	\$ 199,425	\$ 199,425
5. To Be Claimed By:			
5. TO be Claimed by.	FAX Contract:	\$ 247,687	1
I		¢ 211,007	\$ 247,687
		<b>GRAND TOTAL</b>	\$ 5,523,638
	Claim Total Must Agree With To	tal on First Page	\$ 5,523,638
	Minus All Unexpended Funds not used fo	r Transit Claims	\$ 1,098,613
	GRAND TOTAL PAYABL		\$ 4,425,025

Allocation instructions and payment by the Fresno County Auditor-Controller to the applicant is subject to such monies being available for distribution, and to the provisions that such monies will be used only in accordance with the rules and regulations of the Transportation Development Act.

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10/9/2017

## BICYCLE AND PEDESTRIAN FACILITIES FOR FISCAL YEAR: 2017/18

Two percent (2%) of the claimant's Local Transportation Fund apportionment must be spent on bicycle and pedestrian facilities (PUC 99233.3 and 99234); such claims are to be filed as Article 3. Claims for projects in excess of 2% may be filed as Article 8a (PUC 99400(a)). If other funding is to be used with Local Transportation Funds to implement projects, such funding should be shown on the claim form.

#### **PROJECT TITLE & BRIEF DESCRIPTION**

PROJECT COST

\$

Various Bicycle & Pedestrian Facilities throughout the claimant's jurisdiction:

77,624.00

AND/OR:

Other - describe briefly if applicable:		\$ · -
Other - describe briefly if applicable:		\$ -
Other - describe briefly if applicable:		\$ -
	TOTAL PROJECT COSTS	\$ 77.624.00

## PUBLIC AND SPECIALIZED TRANSPORTATION SERVICE CLAIM FOR OPERATING AND CAPITAL EXPENSES FY: 2017/18

GENERAL TRANSPORTATION SERVICE PROF	OSED 2017/2018		PROJEC	TCO	STS		TOTALS
			PROJEC	100	313		IUTAL3
(Information needed per PUC 99266, which states no moneys may be allocated in excess of 15% above	TOTAL	L PRO.	JECT COSTS	\$	3,136,569.00	1	
preceding year unless claim is accompanied by	Prior Year		2,905,760.00	Contraction of the local division of the loc			
supporting documentation)	Percentage Change	S. Mala	8%	1			
supporting aboutton autory		more th	nan prior yea				
Pol	, enue Source & Amount		perating		Capital		Total
Nev (Nev	LTF Article 4:		1,111,213.00	1	Capital	\$	1,111,213.0
	LTF Article 4.5 or 8c:	φ	1,111,213.00			\$	1,111,213.0
	STA:				· · · ·	\$	1000 B. 10 10 10 10 10 10 10 10 10 10 10 10 10
	Fares:	\$	124 000 00	12003560	N/A	\$	134,000.0
			134,000.00	11. 19	N/A	э \$	329,243.0
	Local Support: Fed/State Grants:	φ	329,243.00	\$	90,000.00	\$	90,000.0
	Measure C:	¢	744 757 00	φ	90,000.00		
		\$	741,757.00			\$	741,757.0
Unormouded F	Interest:				700 050 00	and a support of the second	720.250.0
	unds Held By Claimant:			\$	730,356.00	\$	730,356.0
Audit Exception -	General Payback Fund:					\$	
	SUB-TOTALS		2,316,213.00	¢	820,356.00	1.000	2 4 26 560 0
	SUB-TUTALS	Φ, .4	-10,213.00	\$	020,330.00	\$	3,136,569.0
ELDERLY/HANDICAPPED SERVICE PROPOSE	D 2017/2018		PROJEC	T CO	STS		TOTALS
Information needed per PUC 99266, which states no							
noneys may be allocated in excess of 15% above			ECT COSTS	\$	3,459,189.00		
preceding year unless claim is accompanied by	Prior Year	\$ 2	2,910,272.00				
supporting documentation)	Percentage Change		19%				
	n n	nore th	an prior yea	r			
Rev	enue Source & Amount		perating		Capital		Total
	LTF Article 4:	\$ 2	,146,109.00			\$	2,146,109.0
	Tarpey Roundup:		85,068.00			\$	85,068.0
	STA:			\$	449,497.00	\$	449,497.0
	Fares:	\$	82,000.00	E.	N/A	\$	82,000.0
	Local Support:	\$	175,583.00		N/A	\$	175,583.0
	Fed/State Grants:		110,000.00	\$	121,000.00	\$	121,000.0
	Measure C:	\$	31,675.00	Ψ	121,000.00	\$	31,675.0
	Interest:	Ψ	01,070.00			\$	01,010.0
Unexpended Fi		\$	55.398.00	\$	312,859.00	\$	368,257.0
	General Payback Fund:	Ψ	00,000.00	Ψ	012,000.00	\$	000,201,0
/ tutt Excoption						T I I I I	
	SUB-TOTALS	\$ 2	,575,833.00	\$	883,356.00	\$	3,459,189.00
CONSOLIDATED TRANSIT SERVICE AGENCY	PROPOSED 2017/2018		PROJECT	r cos	STS		TOTALS
Information needed per PUC 99266, which states no	TOTAL				(10 107 00	1	
noneys may be allocated in excess of 15% above			ECT COSTS	\$	443,167.00	1	
preceding year unless claim is accompanied by	Prior Year	\$	410,685.00				
supporting documentation)	Percentage Change		8%				
	n	nore th	an prior year	٢			
Devi	enue Source & Amount	0-	orating		Capital		Total
Rev	LTF Article 4.5:		erating 199,425.00		Japitai	\$	199,425.0
	LTF Article 4.5:	φ	155,420.00			⊅ \$	199,425.0
	STA:					э \$	and the second se
	Fares:	¢	10,000.00	-2-1314 VI	N/A	\$ \$	10,000.0
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Enter Date: 10/9/2017

**General Transportation Service:** 

Claimant Name: City of Clovis

### PUBLIC AND SPECIALIZED TRANSPORTATION SERVICE FAREBOX CALCULATION FOR **FISCAL YEAR: 2017/18**

#### **REQUIRED OPERATING/FAREBOX CALCULATIONS**

	Operating Expenses:	\$ 2,316,213.00
1. Total Operating Expenses Minus Exclusions	Amount Excluded	\$ 2,316,213.00
2. Farebox Revenues		\$ 134,000.00
3. Other Local Support		\$ 329,243.00
4. Total Local Support (Adds Lines 2 + 3)		\$ 463,243.00
5. Farebox Revenue/Operating Expense Ratio (Line 2 Divided By Line 1)		6%
6. Required Minimum Ratio Verification: Enter 1 for Urban, 2 for Rural	1	20%
7. Total Local Support/Operating Expense Ratio (Line 4 Divided By Line 1)		20%
8. Required Minimum Ratio Criteria:	Meets Minimum Requirements	20%
URBAN 20%		
RURAL 10%		
Elderly/Handicapped Service:		
	Operating Expenses:	\$ 2,575,833.00
1. Total Operating Expenses Minus Exclusions	Amount Excluded	\$ 2,575,833.00
2. Farebox Revenues		\$ 82,000.00
3. Other Local Support		\$ 175,583,00
4. Total Local Support (Adds Lines 2 + 3)		\$ 257,583.00

4. Total Local Support (Adds Lines 2 + 3)

- 5. Farebox Revenue/Operating Expense Ratio (Line 2 Divided By Line 1)
- 6. Required Minimum Ratio Verification:

SUMMARY TOTALS:

7. Total Local Support/Operating Expense Ratio (Line 4 Divided By Line 1)

10%

- 8. Required Minimum Ratio Criteria:
- **Consolidated Transportation Service Agency:**

	Operating Expenses:	\$ 443,167.00
1. Total Operating Expenses Minus Exclusions	Amount Excluded	\$ 443,167.00
2. Farebox Revenues		\$ 10,000.00
3. Other Local Support		\$ 233,742.00
<ol> <li>Total Local Support (Adds Lines 2 + 3)</li> </ol>		\$ 243,742.00
5. Farebox Revenue/Operating Expense Ratio (Line 2 Divided By Line 1)		2%
6. Required Minimum Ratio Verification:		53%
7. Total Local Support/Operating Expense Ratio (Line 4 Divided By Line 1)		55%
<ol> <li>Required Minimum Ratio Criteria:</li> </ol>	Meets Minimum Requirements	55%
Fares 10%		
Other Local Support 45%		

1. Total OF ALL Operating Expenses PLUS Exclusions

\$ 5,335,213.00 \$ 5,335,213.00 **Total Operating Expenses:** Total Amount Excluded: \$ 5,335,213.00

Meets Minimum Requirements

3%

7%

10%

10%

Must Agree With TOTAL, Project Detail Operator Tab: \$1,703,712:00 2. Total of All Capital Projects: \$ 1,703,712.00

Must Agree With CAPITAL PROJECTS, Project Detail Operator Tab: \$7,038,925.00 3. GRAND TOTAL: \$ 7,038,925.00

	Enter Date: 10/9/2017	Claimant Name: City of Clovis
Sho	<b>ONTINGENCY PROJECT LISTING</b> nould additional Local Transportation Fund or S cal year, they are hereby also claimed for the f	State Transit Assistance Fund monies be made available during the current
CHE	IECK ALL THAT APPLY (Enter "X" in yellow bo	x)
BICY		IC TRANSPORTATION Article 4
ATT	UPPLEMENTAL INFORMATION RE TACHED TO THIS CLAIM ARE SUBMITTED TH nitial yellow box all that apply)	EQUIRED OF TRANSIT CLAIMANTS (CCR 6632) E FOLLOWING DOCUMENTS:
X	Budget or proposed budget for the X 2017/18 fiscal year.	Statement for prior year revenues and expenditures (projections acceptable).
		California Highway Patrol Certification pursuant to PUC 99251 (no claim may be approved unless accompanied by this certification). Date on this certification must be within 13 months of the proposed claim approval date.
	<b>FANDARD ASSURANCES FOR TR</b> AIMANT ASSURANCES: (initial yellow box all t	
12	the State Controller, pursuant to PUC 99245 a	isfactory, independent fiscal audit, with required certification statement, to the RTPA and to nd 21 Cal. Code of Regulations Section 6664 for the prior fiscal year (project year minus ent will be completed for the current fiscal year (project year minus one).
LS	the RTPA, and to the State Controller, pursuan	ate Controller Report, in conformance with the uniform system of accounts and records, to it to PUC 99243, for the prior year (project year minus two). Beginning with the 1979–80 I be audited by an independent CPA. Claimant assures that this report will be completed for
U	1979, from employing part-time drivers or contri further certifies that no person who was a full-ti	Section 99314.5(b) that it is not precluded by any contract entered into on or after June 28, racting with common carriers of persons operating under a franchise or license. Claimant ime employee on June 28, 1979, shall have his or her employment terminated or his or her ne, reduced by the operator as a result of it employing part-time drivers or contracting with
	D. Claimant filing claim pursuant to PUC Se (check one by entering "X" in yellow cell):	ction 99260 certifies that:
C	X 1. the current cost of its retirement system (PUC Section 99271a); or	is fully funded with respect to the officers and employees of its public transportation system
	2. the operator is implementing a plan appr such officers and employees within 40 year	roved by the transportation planning agency which will fully fund the retirement system for rs (PUC Section 99271a); or
Ľ		which sets aside and invests on a current basis funds sufficient to provide for the payment of ompliant with the requirements stated in PUC Sections 99272 and 99273.
13	E. Claimant certifies that it is in compliance with public transportation purposes designed to be	n PUC Section 99264 that it does not routinely staff, with two or more persons, a vehicle for operated by one person.
(S	F. Claimant certifies that it is making full use of accordance with Section 6754(a)(3).	federal funds available under the Urban Mass Transportation Act of 1964, as amended in
(S		with PUC Section 99155 that if it offers reduced fares to seniors, the same reduced rate is ons, and disabled veterans and it honors the federal Medicare card for identification to
15		n PUC Section 99155.5 regarding dial-a-ride and paratransit services being accessible to ovided to persons without regard to vehicle ownership and place of residence.
	The undersigned hereby certifies that the a Please print and sign after completing form	

Authorized Signature		J_L	·	
(	/	$\bigcirc$	)	

τ

Name/Title: Luke Serpa, City Manager Date: 10/9/2017

## FY 16-17

**Clovis Transit Tarpey Budget Calculation** 

Calculations for determining County costs for ridership within the Tarpey Boundary

Cost and Revenues						
Final costs for year ending:	Jun-13	Jun-14	Jun-15	Jun-16	Jun-17	% C
Operating Cost <sup>1</sup>	\$2,167,893	\$2,147,801	\$2,426,662	\$2,465,924	\$2,751,269	11.57%
Farebox Revenue <sup>1,2</sup>	\$216,789	\$214,780	\$242,666	\$246,592	\$275,126	11.57%
Total Revenue from local agencies	\$1,951,104	\$1,933,021	\$2,183,996	\$2,219,332	\$2,476,143	11.57%
<b>Service</b> Total Roundup Passengers (Trips) <sup>1</sup> Trips within Tarpey Village Percent of Tarpey Usage	62,919 1,002 1.59%		61,025 1,621 2.66%	60,692 1,551 2.56%	56,236 1,932 3.44%	-7.34% 24.56% 34.38%
County Contribution	\$31,072	\$34,148	\$58,013	\$56,716	\$85,068	49.99%

#### Calculations

Cost per Trip (Revenue divided by Total Trips)

\$44.03

\$85,068

County Contribution (Cost per trip times Tarpey Trips)

1 Current year figures are unaudited; prior years' are from annual Transit Productivity Evaluation.

2 Includes Measure C funds



# CITY of CLOVIS

AGENDA ITEM NO: CC-F-1

City Manager:

# REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services Department

DATE: October 9, 2017

SUBJECT: Approval - Final Acceptance for CIP 15-06 Shaw Avenue Sidewalk Improvements

ATTACHMENT: (A) Vicinity Map

### **CONFLICT OF INTEREST**

None

## RECOMMENDATION

For the City Council to accept the work performed as complete and authorize recording of the notice of completion.

#### EXECUTIVE SUMMARY

This project reconstructed concrete sidewalk, constructed new concrete sidewalk and reconstructed access curb ramps along Shaw Avenue from Sunnyside Avenue to Temperance Avenue.

#### BACKGROUND

Bids were received on April 11, 2017, and the project was awarded to the lowest responsive bidder on May 1, 2017, and the City manager awarded the project to Witbro, Inc. DBA Seal Rite Paving and Grading. The construction was completed in accordance with the construction documents and the contractor has submitted a request for acceptance of the project.

City Council Report CIP 15-06 Final Acceptance October 9, 2017

#### **FISCAL IMPACT**

Final	Contract Cost	\$ 233,947.17
4.	Liquidated Damages Assessed	\$ 0.00
3.	Contract Change Orders	\$ 2,198.08
2.	Cost increase/decrease resulting from differences between estimated quantities used for award and actual quantities installed.	\$ 11,607.09
1.	Award	\$ 220,169.00

### **REASON FOR RECOMMENDATION**

The Public Utilities Department, the City Engineer, the engineering inspector, and the project engineer agree that the work performed by the contractor is in accordance with the project plans and specifications, and has been deemed acceptable. The contractor, Witbro, Inc. DBA Seal Rite Paving and Grading, has requested final acceptance.

#### **ACTIONS FOLLOWING APPROVAL**

- 1. The notice of completion will be recorded.
- 2. All retention funds will be released pursuant to Federal requirements and the *Prompt Payment of Funds Withheld to Subcontractors* clause of the Local Assistance Procedures Manual.

Prepared by: Cleveland Wardrick, Project Engineer

**City Engineer** 

Submitted by:

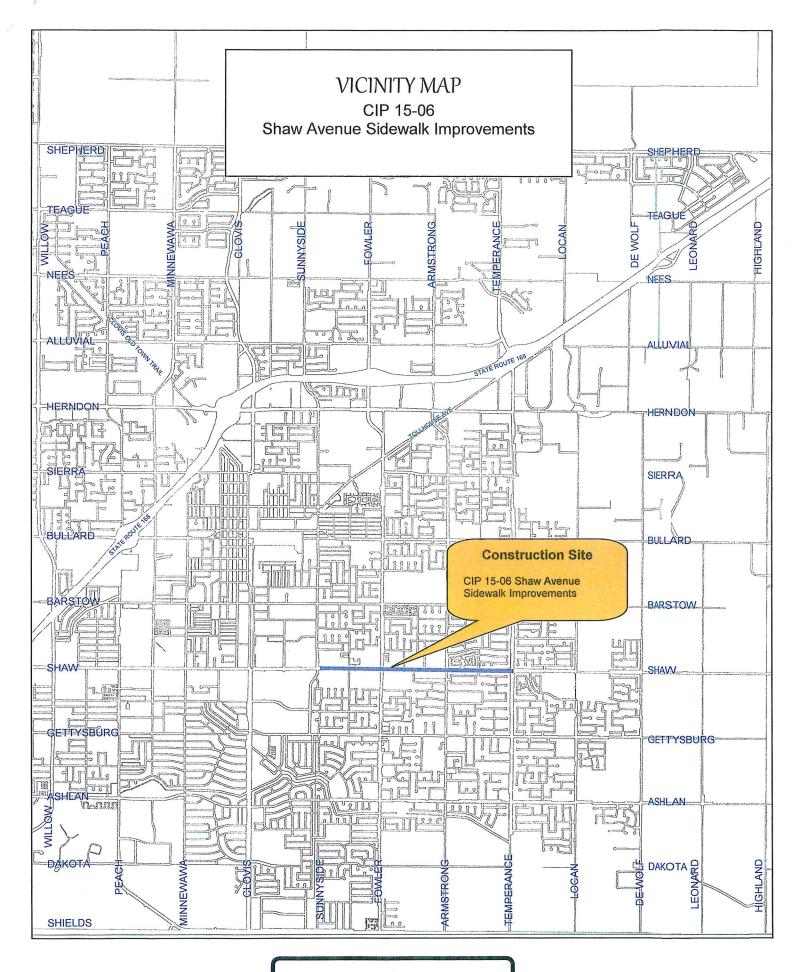
by: Michael J. Harrison

Recommended

Dwight Kroll Director of Planning and Development Services

CIP 15-06 Final Acceptance 10/3/2017 8:32:32 AM

Page 2 of 2



**EXHIBIT A** 



AGENDA ITEM NO:

City Manager:

**1-A 1&2** 

# CITY of CLOVIS

## REPORT TO THE CITY COUNCIL

- TO: Mayor and City Council
- FROM: Finance Department
- DATE: October 9, 2017
- SUBJECT: Consider Actions related to Annexation of Territory (Annexation #50 T6174-Southeast Corner Ashlan/Leonard, T6102- Southeast Corner Shaw/Highland, PM2017-1 Southeast Corner Shepherd/Locan) to the City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services).
  - Consider Approval Res. 17-\_\_\_, A Resolution annexing territory (Annexation #50 – T6174- Southeast Corner Ashlan/Leonard, T6102-Southeast Corner Shaw/Highland, PM2017-1 Southeast Corner Shepherd/Locan) to the City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services) and calling a special landowner election to annex territory (Annexation #50) to City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services).
  - Consider Approval Res. 17-\_\_\_, A Resolution of the City of Clovis declaring the results of a special landowner election and directing recording of the Notice of Special Tax Lien for City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services).
- ATTACHMENTS: (A) Resolution of Annexation
  - (B) Resolution Declaring Results
  - (C) Exhibit A Canvass and Statement of Result Election
  - (D) Map

#### CONFLICT OF INTEREST None

## RECOMMENDATION

That the Council hold a public hearing and approve actions related to the Annexation of Territory (Annexation #50) to Community Facilities District No. 2004-1.

- Consider Approval Res. 17-\_\_\_, A Resolution of annexation of territory (Annexation #50) to the Community Facilities District (City of Clovis Community Facilities District No. 2004-1) and to authorize the levy of Special Taxes therein and submitting Levy of Special Taxes to Qualified Electors.
- > Call for Special Election and have Clerk announce the vote.
- Consider Approval Res. 17-\_\_\_, A Resolution of the City Council of the City of Clovis Declaring the Results of the Special Annexation Election; Determining Validity of Prior Proceedings and Directing Recording of the Notice of Special Tax Lien (City of Clovis Community Facilities District No. 2004-1) (Police and Fire Services).

#### **EXECUTIVE SUMMARY**

Since the condition to establish a CFD was imposed on the developments being processed by the City, developments proceeding after March 8, 2004, must petition to be annexed to the existing CFD. Several property owners have submitted petitions to annex territory to the Community Facilities District 2004-1 and to include their property within the District as provided by the conditions of approval of the development entitlements.

To initiate the process for annexation of territory to a CFD, the Council approved a Resolution of Intention-Annexation #50 (ROI) to annex territory to the CFD on September 5, 2017. The ROI set a public hearing for October 9, 2017. The action today finalizes the annexation to the CFD.

#### BACKGROUND

Since the condition to establish a CFD was imposed on the developments being processed by the City, developments proceeding after March 8, 2004 must petition to be annexed to the existing CFD. Several property owners have submitted petitions to annex territory to the Community Facilities District 2004-1 and to include their property within the District as provided by the conditions of approval of the development entitlements.

To initiate the process for annexation of territory to a CFD, the Council approved a Resolution of Intention-Annexation #50 (ROI) to annex territory to the CFD. The ROI set a public hearing for October 9, 2017. The Rate and Method of Apportionment (RMA) referred to in the ROI is the same as adopted by the Council with the Resolution of Formation adopted March 8, 2004. RMA provides, among other things, definitions, identifies what properties will be taxed, and the maximum special tax.

The conditions as provided in the Rate and Method of Apportionment will apply to territory annexed to the Community Facilities Districts to provide funding for public safety operations in new growth areas. The major conditions include:

1. The maximum annual tax will be \$241.72 for single family residential and \$208.70 for multi-family residential.

- 2. The maximum tax will be increased by the Escalator Factor, which is the greater of the change in CPI or percentage change in population.
- 3. There will be a review not later than five years of inception of the CFD.
- 4. The annual tax will not apply to commercially zoned property.
- 5. The tax will apply only to that property for which a building permit is issued after January 1, 2004.
- 6. The costs of salary and benefit increases funded by the CFD will be limited to the Escalator Factor.

The purpose of the hearing is to take public comment on the annexation of territory to the CFD and to accept protests from any interested person within the proposed boundaries. If no property owner protests are received, the Council may take the initial actions to annex the territory to the CFD by approving a resolution on the annexation to the CFD and calling a special property owner election. Once the election is called, the City Clerk tabulates the ballots. If the property owners of two-thirds (2/3) of the property within the proposed boundaries vote in favor of the CFD, then the Council can take action to direct the recording of Notice of Special Tax Lien. A unanimous vote is required to have the election the same night as approval of the resolution of annexation. The recording of the Tax Lien is contingent upon the property being annexed to the City. The property included within the CFD is being processed for annexation to the City and the Local Agency Formation Commission has approved the annexations.

After the annexation is complete and the Notice of Tax Lien has been recorded, any final maps within the CFD may be recorded and construction permits for homes can be issued. One of the conditions of the CFD is that the tax will only be collected on those properties where a building permit for a residence has been issued.

## FISCAL IMPACT

If approved, residential units built within the boundaries of the CFD will be assessed annually according to the conditions of the CFD formation and those assessments will be utilized to fund police and fire services.

## **REASON FOR RECOMMENDATION**

All requirements for the annexation of territory to the CFD have been completed and the Council may take action to annex territory to the CFD.

## ACTIONS FOLLOWING APPROVAL

After approval of the resolution directing the recordation of the Notice of Tax Lien, the lien will be recorded.

Submitted by: Jay Schengel, Finance Director

## **RESOLUTION NO. 17-\_\_\_\_**

## A RESOLUTION OF ANNEXATION OF TERRITORY TO COMMUNITY FACILITIES DISTRICT AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN AND SUBMITTING LEVY OF SPECIAL TAXES TO QUALIFIED ELECTORS

### CITY OF CLOVIS Community Services District No. 2004-1 (Police and Fire Services) Annexation No. 50

**RESOLVED** by the City Council (the "Council") of the City of Clovis (the "City"), County of Fresno, State of California, that:

WHEREAS, this Council, on September 5, 2017, adopted A Resolution of Intention to Annex Territory to the Community Services District and to Authorize the Levy of Special Taxes Therein (the "Resolution of Intention") stating its intention to annex the territory to the City's Community Services District 2004-1 (the "District"), pursuant to Mello Roos Community Facilities Act of 1982, Sections 53311 and following of the California Government Code (the "Act"); and

WHEREAS, a copy of the Resolution of Intention, incorporating a description and map of the proposed boundaries of the territory to be annexed to the District and stating the services to be provided and the rate and method of apportionment of the special tax to be levied within the District to pay for the services for the District, is on file with the Clerk of the Council and the provisions thereof are fully incorporated herein by this reference as if fully set forth herein; and

**WHEREAS**, on the date hereof, this Council held a noticed public hearing as required by the Act and the Resolution of Intention relative to the proposed annexation of territory to the District; and

WHEREAS, at such hearing all interested persons desiring to be heard on all matters pertaining to the annexation of territory to the District and the levy of said special taxes within the area proposed to be annexed were heard and a full and fair hearing was held; and

WHEREAS, prior to the time fixed for said hearing, written protests had not been filed against the proposed annexation of territory to the District by (i) 50% or more of the registered voters, or six registered voters, whichever is more, residing in the existing District, or (ii) 50% or more of the registered voters, or six registered voters, whichever is more, residing in the territory proposed to be annexed to the District, or (iii) owners of one-half or more of the area of land in the territory proposed to be annexed to the District; and

**WHEREAS**, Annexation Map No. 50 to the District, has been filed with the City Clerk, which map shows the territory to be annexed in these proceedings, and a copy thereof is on file with the City Clerk.

Attachment A

#### NOW, THEREFORE, IT IS HEREBY ORDERED,

1. All prior proceedings taken by this Council with respect to the District and the proposed annexation of territory thereto have been duly considered and are hereby determined to be valid and in conformity with the Act, and the District has been validly established pursuant to the Act.

2. The description and map of the boundaries of the territory to be annexed to District, as described in said Annexation Map No. 50 to the District on file with the Clerk are hereby finally approved, are incorporated herein by reference, and shall be included within the boundaries of the District, and said territory is hereby ordered annexed to the District, subject to voter approval of the levy of the special taxes therein as hereinafter provided.

3. The provisions of the Resolution of Intention and Resolution No. 17- adopted by this Council for the District on September 5, 2017, each as heretofore adopted by this Council are by this reference incorporated herein, as if fully set forth herein.

4. Pursuant to the provisions of the Act, the proposition of the levy of the special tax within the territory to be annexed to the District shall be submitted to the voters of the area to be annexed to the District at an election called therefore as hereinafter provided.

5. This Council hereby finds that fewer than 12 persons have been registered to vote within the territory proposed to be annexed to the District for each of the 90 days preceding the close of the hearing heretofore conducted and concluded by this Council for the purposes of these annexation proceedings. Accordingly, and pursuant to the Act, this Council finds that for purposes of these proceedings the qualified electors are the landowners within the territory proposed to be annexed to the District and that the vote shall be by said landowners, each having one vote for each acre or portion thereof such landowner owns in the territory proposed to be annexed to the District.

6. Pursuant the Act, the election shall be conducted by mail ballot under Section 4000 of the California Elections Code. This Council hereby determines that paragraphs (a), (b), (c)(1), and (c)(3) of said Section 4000 are applicable to this election.

7. The Council hereby calls a special election to consider the measure described in the ballot referred to below, which election shall be held on October 9, 2017, in the regular meeting place of this Council, City Council Chambers, City Hall, 1033 5<sup>th</sup> Street, Clovis, California. This Council hereby further finds that the provision of the Act requiring a minimum of 90 days to elapse before said election is for the protection of voters and that the voters have waived such requirement and the date for the election herein specified is established accordingly.

8. The City Clerk is hereby appointed as the election official to conduct the election and shall cause to be provided to each landowner in the territory to be annexed to the District. The City Clerk shall accept the ballots of the qualified electors received prior to 5:00 o'clock p.m. on October 9, 2017, whether received by mail or by personal delivery.

\* \* \* \* \* \*

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis October 9, 2017, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATE: October 9, 2017

Mayor

City Clerk

Annex #50

## **RESOLUTION NO. 17-\_\_\_\_**

## A RESOLUTION DECLARING RESULTS OF SPECIAL ANNEXATION ELECTION, DETERMINING VALIDITY OF PRIOR PROCEEDINGS, AND DIRECTING RECORDING OF AMENDED NOTICE OF SPECIAL TAX LIEN

## CITY OF CLOVIS Community Facilities District No. 2004-1 (Police and Fire Services) Annexation No. 50

**RESOLVED** by the City Council (the "Council") of the City of Clovis (the "City"), County of Fresno, State of California, that:

**WHEREAS**, in proceedings heretofore conducted by the Council pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), this Council has heretofore adopted a resolution calling a special election of the qualified landowner electors in the territory of land proposed to be annexed to Community Facilities District No. 2004-1 (Police and Fire Services) (the "CFD"); and

WHEREAS, pursuant to the terms of the resolution which is hereby incorporated herein by this reference, the special election has been held and the City Clerk has filed a Canvass of Votes Cast in Special Election, a copy of which is attached hereto as Exhibit A; and

WHEREAS, this Council has reviewed the Canvass and hereby approves it.

## NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. The issue presented at the special election was the levy of a special tax within the territory annexed to the CFD, to be levied in accordance with the formula heretofore approved by this Council as described in Resolution No. 17-, a Resolution of Annexation of Territory to Community Facilities District, authorizing the Levy of a Special Tax and Submitting Levy of Tax to Qualified Electors, adopted September 5, 2017.

2. Pursuant to the Canvass on file with the City Clerk, the issue presented at the special election was approved by the landowners of the territory annexed to the CFD by more than two-thirds (2/3) of the landowners voting at the special election.

3. Pursuant to the voter approval, said annexed territory to the CFD is hereby declared to be fully annexed to and part of the CFD and this Council may levy special taxes therein as heretofore provided in these proceedings.

Attachment B

9/25/2017 3:00:25 PM

4. It is hereby found that all prior proceedings and actions taken by this Council pursuant to the CFD and the territory annexed thereto were valid and in conformity with the Act.

Within 15 days of the date hereof, the City Clerk shall execute and cause to be recorded in the office of the County Recorder of the County of Fresno, an amendment to the Notice of Special Tax Lien as required by Section 3117.5 of the California Streets and Highways Code.

\* \* \* \* \* \*

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on October 9, 2017, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED: October 9, 2017

Mayor

City Clerk

#### EXHIBIT A

### CITY OF CLOVIS Community Facilities District No. 2004-1 (Police and Fire Services) Annexation No. 50

#### CANVASS AND STATEMENT OF RESULT OF ELECTION

I hereby certify that on this date, I canvassed the returns of the election held on this date, in the territory annexed to Community Facilities District No. 2004-1 (Police and Fire Services) of the City of Clovis which election is designated as the Special Tax Annexation Election, and the total number of ballots cast in the territory to be annexed and the total number of votes cast for and against the measure are as follows and the totals as shown for and against the measure are full, true and correct:

Qualified	Votes	YES	NO
Landowner	Cast		
Votes			

City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services), Annexation No. 50 Special Tax Annexation Election, October 9, 2017.

**BALLOT MEASURE**: Shall the City of Clovis, by and for its Community Facilities District No. 2004-1 (Police and Fire Services) (the "CFD"), be authorized to levy special taxes within the territory annexed to the CFD pursuant to and as described in Resolution No. 17-\_\_\_\_ of the City of Clovis, adopted by its Council on October 9, 2017?

**IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND** this day of \_\_\_\_\_ 2017.

CI	TV	OF	CI	01	110
	II	OF	<b>UL</b>	U.	110

Ву: \_\_\_\_\_

**City Clerk** 

Attachment C

Annex #50

9/25/2017 2:51:26 PM

Page 9 of 9

FILED IN THE OFFICE OF THE CITY CLERK THIS DAY OF <u>october</u> 2017. I HEREBY CERTFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF ANNEXATION NO. 50 TO COMMUNITY FACILITIES DISTRICT NO. 2004-1 (POLIDE AND FIRE SERVICES), CITY OF CLOVIS, COUNTY OF FRESNO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLOVIS AT A REGULAR MEETING THEREOF, HELD ON THE <u>2114</u> , DAY OF <u>october</u> 2017, BY ITS RESOLUTION NO. 17	JOHN HOLT CITY CLERK CITY OF CLOVIS FILED THIS DAY OF 2017, AT THE HOUR OF DAY OF O'CLOCK IN THE BOOK PAGE O'CLOCK IN THE BOOK RAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AND AS INSTRUMENT NO. OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF	FRESNO, STATE OF CALIFORNIA. PAUL A. DICTOS, C.P.A. BY: DEPUTY COUNTY RECORDER COUNTY OF FRESNO STATE OF CALIFORNIA	REFERENCE IS MADE TO THAT BOUNDARY MAP OF COMMUNITY FACILITES DISTRICT NO 2004-1 (POLICE AND FIRE SERVICES) OF THE CITY OF CLOVIS RECORDED WITH THE FREESNO COUNTY RECORDER'S OFFICE ON FEBRUARY 19, 2004, IN BOOK 40 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITES DISTRICTS, PAGE 57.	THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN ON THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE FRESNO COUNTY ASSESSORS MAPS FOR THOSE PARCELS LISTED. THE FRESNO COUNTY ASSESSORS MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF	ANNEXATION MAP NO. 50	COMMUNITY FACILITIES DISTRICT NO. 2004-1 (POLICE AND FIRE SERVICES)	
-ERD AVENUE	-589-020-68         LEGEND					COMMU scale : 1' - 500'	
		ASHLAN AVENUE	_310-300-63				
SHAW AVENUE			IEVA ORANOEL			Attachmen	t D

AGENDA ITEM NO: 2-A-1



# CITY of CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: October 9, 2017

SUBJECT: Consider Adoption - Ord. 17-21, Repealing Section 2.4.01, of Chapter 2.4, of Title 2 and Adding New Sections 2.4.01 Through 2.4.03, of Chapter 2.4, of Title 2 of the Clovis Municipal Code Pertaining to the Use of the City Seal and Logos. (Vote: 3-0-2 with Mayor Whalen and Councilmember Ashbeck absent)

Please direct questions to the City Manager's office at 559-324-2060.

AGENDA ITEM NO: City Manager: (S

2-B-1



# CITY of CLOVIS

## REPORT TO THE CITY COUNCIL

TO:	Mayor and City Council
FROM:	Community and Economic Development Department
DATE:	October 9, 2017
SUBJECT:	Receive and File – Community and Economic Development Department July 2016 – June 2017 Report and Department Overview
ATTACHMENTS: Attachment 1 – Economic Indicators Summary Attachment 2 – Economic Development Metrics	

The Community and Economic Development Department had a busy year as the economy in Clovis saw continued growth and affordable housing programs move forward. Staff from all City Departments worked to take advantage of the economic upswing and to make Clovis a great place to do business and live. An economic indicator snapshot is included as Attachment 1. Staff will also be presenting an overview of the Department during the report of this item to City Council.

## **Economic Development Division**

The full Economic Development Metrics showing the results of the Department's economic development efforts are attached as Attachment 2. These metrics are used by staff to manage and allocate resources to ensure the City is engaging in a robust economic development effort. Below are highlights during the reporting period.

## **Business Retention and Expansion Efforts**

Staff continued efforts to reach out and visit our local businesses. During the time period 135 unique businesses were visited, some multiple times, as new relationships were built or rebuilt. These visits were valuable as problems were addressed and local businesses gained a direct connection with the City. The City also conducted three key programs that served our existing businesses, Economic Gardening, Big Wins Day, and the CEO Roundtable. Some examples are below:

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Big Wins Day

The highly popular program is well known for its prizes offered to Clovis shoppers and additional tax revenue generated but its true value is in the 70+ site visits and partnerships created with the local retail community. Through reviewing data it appeared that car sales in Clovis had leveled off. Staff reached out to the car dealers and developed a Big Wins Day program that would encourage purchases of cars by buyers from outside of Clovis and bolster the other retailers in Clovis. Buyers of cars in Clovis received special cards that could be spent at Clovis retailers that amounted to the City's share of the sales tax. This resulted in over 70 cars being sold in just a few days, resulting in one of the best weekends for the dealers in some time. The purchasers then came back to Clovis to use their cards across the community. The retailers were very happy with the results and stated it drove traffic to them they wouldn't have otherwise received. A very common comment received was thanks from the store owners and how unique the program was. Staff was also able to address concerns and develop relationships as each store was visited multiple times leading up to the event.

#### CEO Roundtable

Growing out of the Economic Gardening program is the Clovis CEO Roundtable program. Staff met with a small group of CEO's to develop a networking and educational event for CEO's of Clovis businesses. In partnership with Fresno Pacific University and Clovis Community College resources were brought to two meetings with Clovis CEO's to discuss challenges that the CEO's were facing. A group discussion was prompted as the 15 - 20 CEO's talked about their experiences and the networking amongst the group was significant. It is planned to have 2 - 3 meetings a year with a variety of issues being covered and relationships being developed.

#### Company "A" (Name Confidential) Site Visit

Staff was made aware of a key company being pursued by a neighboring county. The company had reached its capacity in its current location and was considering the move as ample land was available. Through numerous site visits staff worked with Company A to identify options for growth in Clovis. Staff presented many options to achieve the company's goals in Clovis and supported them with research and leg work on options they wanted to pursue. Since then the company has constructed a new building at their current location and is considering another. In addition, staff facilitated an opportunity to gain access to adjacent land to help with space issues. Staff reaches out consistently to keep the relationship active and has provided further assistance to address their growth needs.

Focusing on existing businesses' needs and ensuring strong relationships will continue to be a top priority for the City's economic development efforts. Going forward staff will continue to conduct site visits and programs that support our local businesses. They are our best spokespersons to attract businesses and the most likely source of job and revenue growth.

#### **Business Attraction Efforts**

Staff met with 90 industrial and commercial brokers during the year. These relationships are critical to better understand the market and get brokers the information need to sell in Clovis. Discussions also included how to better leverage trade shows and ideas to make Clovis a destination of choice. These conversations will lead to fruitful trade shows with active leads being developed.

Staff has also been strategizing with existing businesses on how to support their efforts at trade shows while giving the City of Clovis leads to their customers and suppliers. This is a retention and attraction effort as it shows the businesses that the City values them and the City gets high quality leads.

Retail

At an ICSC conference in San Diego 2016 and in Las Vegas in May of 2017, staff met with retail property managers and built relationships with them. Strategies were discussed on how to fill vacancies and how the City can assist in the effort. Staff also received many positive reports from property managers on the positive performance of their properties. Staff also targeted hotel developers at ICSC and met with two of them, in addition to the six met with at the show in May of 2016. This has resulted in numerous site visits for new hotel locations throughout Clovis. One developer has applied for entitlements and others are in the pre-development stages. These developers were connected at ICSC to property owners and local developers to encourage construction of new hotels. Staff also marketed the Loma Vista commercial area and due to the discussion with a broker, a developer is in the process of developing 7 acres of commercial land.

At the ICSC conference in 2015, staff developed a relationship with a significant retailer. The retailer reached out and was looking for opportunities for growth in the Fresno/Clovis market. Staff provided several locations, coordinated meetings, and continues to offer resources as the retailer is finalizing its options. The retailer at the beginning of the conversation was being pursued to locate outside of Clovis but has since determined that Clovis is its best option. The developer is nearing finalization of the property sale and staff has worked with the retailer on pre-application efforts to streamline the entitlement process.

A new sales tax sharing agreement was approved for Sierra Vista Mall. This agreement was critical in encouraging the mall ownership to pursue improvements of the mall and is in negotiations with a major retailer. Discussions with the mall ownership occurred at ICSC, and staff is very optimistic that the Mall will attract a significant retailer to boost the mall and the Shaw Avenue Corridor.

Also at the Las Vegas ICSC show in May of 2017, staff met with a major car manufacturer that expressed interest in Clovis for a dealer location. Staff continues to work with them to ensure that Clovis is in a good position to meet their needs.

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Professional/Industrial

Staff has been working with the California Health Sciences University on its decision to permanently locate in Clovis. The School purchased 80+/- acres in the Clovis Research and Technology Park and announced its decision to construct a school to serve 2,000 students with approximately 400 staff in the spring of 2016. The first structure is expected to begin construction in 2017. The School also announced the establishment of a full medical school and the ramping up of construction plans to accommodate it.

The Clovis Culinary Center was awarded funds from a variety of sources earlier in the year. The Clovis Culinary Center will allow for food entrepreneurs to bring their ideas to market. Users of the facility will be supported with technical assistance such as marketing techniques, how to access capital, and other business issues. The Center improvements will be under construction in a few months at their new location.

The Dry Creek Industrial Park, Phase II was completed in December of 2016. This project has attracted several users that have submitted construction plans. Staff continues to work with brokers and developers to market the area and several users are considering the business park. In partnership with the brokers, a ribbon cutting event was held and attracted seventy attendees including a large group of brokers, property owners, business owners, and City staff. At the event, two lots were sold and interest in the lots has significantly increased. Interest includes engineering firms, medical support businesses, and construction industry businesses.

Nearby three new offices/industrial buildings were occupied. Agrian opened their global headquarters and brought 100 employees to Clovis. The software firm is looking to expand and partner with the City on attracting more technology firms. In addition, Calpine, an agricultural company, opened their headquarters nearby and All-tech Automotive moved into a brand new space. Their former location has been occupied. All of these companies faced challenges in receiving mail service due to issues at the Clovis Post Office. Staff set up meetings between the developer, City staff, and the Post Office staff to resolve the issues.

#### Tourism

The City has been working with the Clovis Chamber of Commerce to bolster the major events it manages. Staff helped to coordinate the cultural village which was wildly popular and attracted large crowds to view the dances, food, and cultural booths. Staff will continue to leverage Clovis Unified School District's success in hosting major athletic events. These events bring a significant number of additional tourists to showcase Clovis and take advantage of local businesses while bolstering tax revenues as shown in the increase in transit occupancy tax and plans for new hotels.

#### Housing and Grants Division

The City's affordable housing programs are active, and are providing a critical resource for our community. A total of 80 families were served during this reporting period with home rehabilitations and first-time homebuyer assistance. Details are in Attachment 2. The City began the expenditure of \$2,200,000 in funding during the period, and will continue to expend existing awarded grants to support affordable housing and community development efforts. Below are some highlights from the division including a story of how a family's life was changed.

## Home Rehabilitation Grant Program Grantee Story

During the reporting period, a low-income homeowner contacted staff about getting help to replace her water heater. The homeowner had lost her job, and did not have the money to pay for the repair. While talking to the homeowner, staff discovered that not only did she need the water heater replaced, her central air had quit working about a year earlier and she had not been able to afford to get it fixed either. In addition, she was behind on her mortgage payments. Staff was able to direct her to the "Keep Your Home California Program", which is a program that can provide mortgage payment assistance to those who have a set-back to their income (e.g. job loss, a medical issue, etc.). The homeowner was approved to receive the funds to bring her mortgage current, and also funds to pay her mortgage for the next 12 months. Staff was also able to replace both her water heater and central air unit. Now she's physically and mentally comfortable in her home. The homeowner just recently called staff to say she had found a new job!

#### Mobile Home Replacement Grantee Story

On December 24, 2016, staff was contacted by the Clovis Fire Department regarding a mobile home that had caught fire that day. The home was a total loss, and the homeowner did not have insurance on the home. This would be a devastating loss to anyone, but it was especially overwhelming for this homeowner as his total household income was only around \$12,000 per year. Within a couple of days of the fire, staff was able to meet with the homeowner and let him know that they could provide a new mobile home for him through Clovis' mobile home replacement program. He wept at hearing this news. The home was immediately ordered from the factory, and the homeowner moved into his new home on February 23, 2017. On the day he moved in, he thanked staff profusely, and said that Clovis helped turn the worst thing that had ever happened to him into the best thing!

#### **Single-Family Rehabilitation Programs**

• Staff completed 32 home repair projects for low-income owner-occupied households.

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#### First-Time Homebuyer Programs

• The expenditure of \$1,000,000 of First-Time Homebuyer Program funding is underway. Three households were assisted during this period, with funds remaining to assist seven more households. The funding comes from the California Department of Housing and Community Development.

### Affordable Housing Development – Habitat for Humanity

• Infrastructure and site improvements have been completed for the 10-lot Rialto Rancho subdivision. The property has been transferred to Habitat for Humanity. Habitat for Humanity has selected the partner families and eight of the homes are in various stages of construction.

#### **Multi-Family Projects**

• Construction began on Magnolia Crossing, a 48-unit, senior, assisted-living facility. In exchange for Clovis' land donation, 24 of the units will be dedicated as affordable units.

#### Grants

- \$1,000,000 of CalHome funds were awarded to Clovis for the purpose of operating a mobile home replacement program. 16 households were approved for replacement. Three replacements were completed during the previous reporting period, and eleven replacements were completed during this reporting period. The remaining two replacements are currently in progress.
- Staff completed and submitted to HUD the 2017-18 Annual Action Plan which is a requirement for expenditure of Community Development Block Grant (CDBG) funds. Clovis will receive \$689,077 in CDBG funds for the 2017-18 funding year.
- A site has been selected for the Clovis Culinary Kitchen, and modifications are being designed. CDBG funds will be used to assist low-income entrepreneurs wishing to start or expand their business by using the Kitchen.

Prepared by: Andy Haussler, Community and Economic Development Director

Submitted by: Andy Haussler, Community and Economic Development Director

City Council Report CED July 2016 – June 2017 Report October 9, 2017

## ATTACHMENT 1

## **Overall Economic Indicators:**

## Job Market

The City continued to enjoy higher per capita income than Fresno County as a whole with \$28,686 compared to \$20,408 in Fresno County. This was an increase over 2015-16 of \$1,891. This results in a median household income of \$62,666. The City also maintained higher education levels with nearly 90% of the City's adult residents having a high school diploma or higher. This is 14.5% higher than Fresno County and 7% higher than the State of California.

Total payroll for the City of Clovis reached \$1.2 billion with 33,754 total employees on payroll in the City in 2016-17. From 2015-16, this is an increase of \$100 million in payroll. The number of jobs increased by 1,657 from 2015-16. With this, the jobs-housing balance is .88 jobs per residence. This is a significant increase and represents the highest ratio in the past 10 years. The City is gaining ground on job growth despite the City adding 962 households during the same time frame. More jobs need to be added to the community to reach the 1:1 goal for the jobs-housing balance but the trajectory is favorable.

The City has issued 794 new business licenses.

The unemployment rate dropped to 6.5% from 7.4% a year ago. The rate was as low as 5.7% in May of 2017.

## Development

Commercial construction maintained a healthy trajectory. The total permits pulled for construction or improvement of commercial and industrial space was over \$44 million in valuation. The square footage constructed or improved equaled 741,864. For residential units, a total of 962 permits were pulled during the time period.

## Tax Revenue

Sales tax revenues are trending higher (4%), a key indicator of the retail sector's health. While this is positive, the retail landscape is changing rapidly with growth in on-line shopping options. General merchandise purchases, despite the City's population growth and improved economic conditions, have remained relatively flat (1% increase). The county pool allocation, in which some of the purchases our residents make from on-line retailers is up 4% compared to 2016. The majority of the revenue increase is from automotive sales (8% increase) and construction sales (20%). There has been continued national news that car sales are flattening which is indicated here with 2015-16 increase in tax revenue which for cars was 12%.

## Summary

The indicators represent a City that is growing and offers opportunities to residents to improve their economic situation. It is encouraging that the unemployment rate is lower, the City is adding jobs at a fast clip, and commercial/industrial development is strong. This data will be assessed in future reports to determine trends, and the progress the City's economy has made.

## ATTACHMENT 2

## ED Strategy Metrics RESULTS JULY 1, 2016 – June 30, 2017

Strategy 1: Business Retention and Expansion

Action	Measurement	<b>Results (July 2016 – June 2017)</b>
Create and maintain relationships		
Business Visitations – Goal is 25 businesses per month (300 per year)	<ul><li>Number of businesses visited</li><li>Content of contact</li></ul>	289
	<ul> <li>Number for problem solving</li> <li>Number for site visit</li> </ul>	7
	<ul> <li>Number for information sharing</li> </ul>	289 289
Provide information & education		
Quarterly e-newsletter	<ul> <li>Number of businesses on mailing list</li> <li>Number of opened newsletters</li> </ul>	544 381
Workshops/Trainings	Number of trainings made available	4
Clovis4business.com	Use metrics	13,157 Visits
Recognize and appreciate businesses		
Annual event	<ul> <li>Event held         <ul> <li>Number of businesses in attendance</li> <li>Report media coverage</li> <li>Number of businesses in attendance</li> <li>Report media coverage</li> </ul> </li> </ul>	Economic Gardening Events (3) 24 2 Articles + Social Media Big Wins Day (Retail) 70 Social Media +TV+Articles Broker Meetings and Round Table
	<ul> <li>Number of businesses in attendance</li> <li>Report media coverage</li> </ul>	90 4 Articles+TV(3)+Social

Action	Measurement	<b>Results (July 2016 – June 2017)</b>
Market Clovis to attract new businesses – Goal is to contact 20 businesses per cluster per year (100 prospective businesses total per year)	<ul> <li>Number of marketing pieces distribute per cluster/Number of Conversations</li> </ul>	ClusterContactConversationHealth3838Manufacturing44InformationTourism2121Water Tech33Education3939Retail9166Total196171=367
Develop relationships with commercial/industrial brokers	<ul> <li>Number of new businesses in Clovis</li> <li>Host annual broker meeting         <ul> <li>Number of brokers in attendance</li> </ul> </li> <li>Number of conversations with brokers</li> <li>Staff attendance at brokerage company meetings</li> </ul>	429 (meetings and roundtable conducted) 98 98 20
Maintain an adequate supply of commercial and industrial available property	<ul> <li>Benchmark and measure commercial and industrial site acreage/square footage         <ul> <li>Available</li> <li>Utilized</li> <li>Business type and number of jobs</li> <li>Commercial building permits</li> <li>Valuation</li> </ul> </li> </ul>	Commercial SQ Ft221,688Commercial Acreage67Industrial SQ Ft29,029Industrial Acreage52Com/Ind Permit Value: \$44,771,366Com/Ind Permit SQ FT:741,864
Achieve and maintain a Jobs/Housing Balance ratio of 1:1	Calculate the Jobs Housing/Balance annually	.88 jobs per a residence

## Strategies 2, 3, 4, and 5: Business Attraction (Industrial, Commercial Retail, Commercial Office)

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## Strategy 2: Business Start-ups

Action	Measurement	<b>Results (July 2016 – June 2017)</b>
Assist in the development of new	Website metrics	13,157 visits
businesses	<ul> <li>Number of business licenses for new businesses</li> </ul>	273
Host events for entrepreneurs	Events held	Economic Gardening (20)
	<ul> <li>Number of attendees</li> </ul>	Shaw Ave/Old Town PBIA (80)

## Strategy 6: Tourism

Action	Measurement	<b>Results (July 2016 – June 2017)</b>
Host events that bring people to Clovis	Track attendance for all major events	196,900
Work with hotels to increase the number of travelers who stay overnight in Clovis	· · · · · · · · · · · · · · · · · · ·	69% Occupancy 4% TOT Increase
Provide information to visitors to Clovis and those thinking about visiting	<ul> <li>Benchmark and report statistics from Tarpey</li> <li>Depot <ul> <li>Number of visitors</li> <li>Number of fulfillment packets</li> <li>Number of groups</li> </ul> </li> </ul>	1,184 193 8
Use visitclovis.com as the information portal for visiting Clovis	Metrics from VisitClovis.com	57,704 visitors

## Strategy 7: Workforce

Action	Measurement	<b>Results (July 2016 – June 2017)</b>
Identify workforce needs of Clovis businesses	<ul> <li>Use EDD Data to benchmark and monitor number of jobs in Clovis by industry</li> </ul>	Total of 1,657 additional jobs in Clovis since 2015/16. Health care and construction are the strongest sectors.
Conduct employer survey of training needs	<ul> <li>Number of businesses surveyed         <ul> <li>Number of businesses connected to employee training opportunity</li> </ul> </li> </ul>	Staff has met with major employers and is working to make connections with programs to assist in training
Seek higher education programs to meet employer need	<ul> <li>Number of meetings with educational facilities</li> </ul>	8

## Affordable Housing Programs

Program	Goal	<b>Results (July 2016 – June 2017)</b>
Mobile Home Grant Program	67	77
First-Time Homebuyer Program	Assist 10 low-income homebuyers.	3
	Complete 10 unit subdivision at Rialto Rancho	Eight of the ten homes are in various stages of construction.
Affordable Housing Development	Three additional lots for sale to Habitat for Humanity in the Stanford Addition	Agreements to donate three lots have been approved. The lots are currently in escrow. Construction on the first lot will begin immediately.
Multi-Family Projects	Begin construction on Magnolia Crossing – a 48-unit senior assisted-living facility (with 24 of those units being designated for low- income seniors).	Construction began in February 2017. It is anticipated that construction will be completed Fall 2017.

-

## Grants Status – June 30, 2017

Program	Amount	Status
CDBG 2014-15	\$578,706	Completed
CDBG 2015-16	\$635,650	Completed
CDBG 2016-17	\$672,819	Completed
CDBG 2017-18	\$689,077	Underway
CalHome Mobile Home Replacement Program	\$1,000,000	Underway – nearing completion
HOME First-Time Homebuyer Program	\$1,000,000	Underway
HOME First-Time Homebuyer Program	\$700,000	Completed
Kitchen Incubator - USDA	\$40,000	Underway
Kitchen Incubator - Freshworks	\$50,000	Underway
Kitchen Incubator – NCCLF Grant	\$15,000	Underway
Kitchen Incubator – NCCLF Forgivable Loan	\$60,000	Underway
Total	\$5,441,252	



# CITY of CLOVIS

AGENDA ITEM NO: 2-C-1 City Manager:

1S

## REPORT TO THE CITY COUNCIL

- TO: Mayor and City Council
- FROM: **General Services Department**
- DATE: October 9, 2017
- Consider Approval Res. 17-\_\_\_\_, Amending the City's Master Administrative Fee SUBJECT: Schedule Pertaining to Senior Center Facility Rental Fees
- ATTACHMENTS: (A)
  - Resolution 17-
  - Exhibit A City of Clovis Master Administrative Fee Schedule (B) Including Proposed Revisions

## CONFLICT OF INTEREST

None

## RECOMMENDATION

For the City Council to approve a resolution amending the City's Master Administrative Fee Schedule pertaining to Senior Center Facility Rental Fees.

## EXECUTIVE SUMMARY

Fees for renting the Senior Center facility have not been updated since 2008 and are below fees of comparable facilities. In an effort to increase revenue for the Senior Center, an increase to the facility rental fees is recommended. The proposed revisions to the Master Administrative Fee Schedule allow for appropriate increases to current facility rental fees while remaining competitive in the market. Fees for Senior Center classes and services will be reviewed during the FY 18-19 budgetary process.

## BACKGROUND

The Clovis Senior Center has a multi-purpose hall that is rented on weekends for weddings, birthdays, and special events. The hall holds two hundred people and rental includes the use of the kitchen as well as tables and chairs. The hall is rented an average of twice a month on Saturday nights.

Hall rental fees generate a small portion of the Senior Center revenue. The fee structure for hall rentals has not been revised since July, 2008, and is significantly lower than comparable

facilities. To determine fee increases, staff reviewed the cost of a comparable sized room at nearby facilities, evaluated costs for staffing and clean-up costs. The proposed rates are slightly below those compared in order to remain competitive. Like other facilities, hall rental fees for 501(c)(3) non-profit organizations are reduced.

In addition to the changes to facility rental fees, staff recommends deleting Lifeline Service charges from the Master Administrative Fee Schedule as the program is no longer offered.

The following are the recommended fee changes for Senior Services:

Senior Center	Current	Proposed
Banquet Hall Rental	\$700 for 5 hours \$75 each additional hour	\$900 for 5 hours \$100 each additional hour
Banquet Hall Rental (non-profit)	\$75/hour	\$100/hour
Lifeline Service-City Owned	\$30 per month	Delete-program not offered
Lifeline Services- Leased	\$35 pèr month	Delete-program not offered

## **FISCAL IMPACT**

Hall rental revenue varies annually depending upon demand. Renters who have reserved a date and provided a deposit prior to November 1, 2017, will be charged the current rate. Therefore, increased hall rental revenue may not be realized until mid-2018. Utilizing historical senior center hall rental data, additional revenue is expected to be approximately \$4,000 annually. No fiscal impact for deleting Lifeline Services as the program has not been active for years.

## **REASON FOR RECOMMENDATION**

In an effort to boost revenue for the Senior Center, an increase in hall rental fees that are more consistent with the local facility rental market are recommended.

## ACTIONS FOLLOWING APPROVAL

The City's Master Fee Schedule will be revised to include the proposed fees effective November 1, 2017. Facility rentals with a deposit paid prior to November 1, 2017, will pay the previously contracted rate.

Prepared by: Shonna Halterman, General Services Director

Submitted by: Shonna Halterman, General Services Director

## **RESOLUTION 17-**

## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS APPROVING CHANGES TO THE MASTER ADMINISTRATIVE FEE SCHEDULE

WHEREAS, it is necessary to establish a fee schedule for rental of the Senior Center facility within Community Services Division in the General Services Department; and,

**WHEREAS**, it has been determined that it is appropriate to create or adjust the fees for Senior Center facility rental fees and,

WHEREAS, fees help to provide funding for the Senior Center facility's overall operating budget.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Clovis does hereby authorize changes to the Master Administrative Fee Schedule as it relates to the General Services Department as described in the attached Exhibit "A".

\* \* \* \* \* \* \* \* \* \* \* \*

The foregoing resolution was approved at the regularly scheduled meeting of the Clovis City Council on the 9<sup>th</sup> day of October 2017, by the following vote to wit:

AYES:

NOES:

ABSENT:

**ABSTAIN:** 

Dated: October 9, 2017

Mayor

City Clerk

## MASTER ADMINISTRATIVE FEE SCHEDULE Effective Date: November 1, 2017

Exhibit A

* Insert arrow(s) to indicate change(s)		
Description		500
Description	1/44	Fee
Standard Photocopying for Black and White (per page – standard 8	3 ½ X 11	\$.10
Standard Photocopying for Color (per page – standard 8 ½ x 11)		\$.15
Blue Line Map 24x36		\$4.00
30 x 48		\$5.00
Each successive sheet	A 1	\$2.50
Map of Developable Areas		\$30.00
	······································	\$20.00
Standard Specifications (per set) Research Fee (1/2 hr. minimum)		\$45.00/hr
	(100	
Facility Use Permit		ninimum) \$100.00
Lobbyist Registration (annual)		\$25.00 \$10.00
Amendment to Lobbyist Registration Annual Financial Report		\$10.00
Annual Budget		\$20.00
		\$20.00
Copy of Clovis Municipal Code (full copy) Copy of Clovis Municipal Code Supplements	anna mear bhannaichteanna, anna	\$125.00
	and an extension of the second se	\$20.00
Video Tape Copy		\$40.00
Reproduction of Photographs		\$40.00
Administrative Charge pertaining to Administrative Citations		\$50.00
Park Facility Reservation Fees	Half day rate	Full day rate
Picnic sites with 4 or fewer tables	\$41.00	\$82.00
Picnic sites with 5 or more tables	\$53.00	\$106.00
Hydrant Water Metered		
First 30 days, plus 5,000 gallons		\$20.00
Per 1,000 gallons over 5,000 gallons		\$1.00
Late Return Charge - Per day		\$15.00
Lost or stolen meter		\$500.00
General Services Department		
Community Services Division		
Transit Section		
Stageline Service		<b>*</b> / <b>*</b>
General Public (age 6-64) (per one-way trip)		\$1.25
Seniors age 65 and over with I.D. (per one-way trip) >		Free
Persons with disability with proof of disability (per one-way tri		Free
Attendant to assist a person with a disability (one attendant p		Free
Children under age 6 with fare paying adult (up to 4 children)		Free
10-ride pass		\$11.50
Stageline/FAX Metro Pass – Valid 31-days from first use		\$48.00

Amend Senior Center Facility Rental Fees 10/3/2017 9:30:55 AM

\$27.50 value smart card	Clovis)	
\$27.50 Value Smart Card		\$25.00
Trolley Fee Schedule		
Non Holiday Hourly Rate (minimum of	f two hours)	\$125.0
	gnized by the City of Clovis, minimum of two hours)	\$140.0
Reduced hourly rate after four hours a		\$75.0
Wait time (vehicle not in motion) after		\$50.0
Clean-up of any bodily fluid spills on a		\$100.0
Senior Services Section		
Banguet Hall Rental	\$900.00 for first 5 hours; \$100.00 each additi	onal hou
Banquet Hall Rental (non-profit rate)	\$100.00	per hou
Classroom Rental	\$375.00 for first 5 hours; \$50.00 each additi	onal hou
Classroom Rental (non-profit rate)		per hou
Senior Center Classes	\$1.00 to \$5.00 per day pe	er activi
Senior Center Class Registration	Free to \$35.00 per 8-wee	
Ceramic Firing Fee (one class)	\$15.00 p	
Ceramic Firing Fee (two or more classes	s) \$20.00 p	er mon
Senior Trips and Tours	\$5.00 administrative fee plus actual ac	tivity co
Lifeline Service (City owned units)	\$30.00 p	
Lifeline Service (leased units)	\$35.00 p	er mon
Notary Public Service		\$5.0
Event Table Sponsorship	\$75.00 tc	\$150.0
Youth Program Fees	Fee Range: Free to \$90.00 per Fee Range: \$85.00 to	
Youth Leagues and Tournaments	Fee Range: \$85.00 to	
Adult Program Fees	Fee Range: \$5.00 to \$150.00 per	
Adult Leagues and Tournaments	Fee Range: \$50.00 to	
Special Events and Camps	Fee Range: Free to \$250.00 per ev	ent/cam
Special Events and Camps Recreation Facility Reservations (north p	ortion of building) Fee Range: \$50.00 to	\$100.0
Special Events and CampsRecreation Facility Reservations (north pRecreation Facility Reservations (south p	ortion of building)Fee Range: \$50.00 toportion of building)Fee Range: \$50.00 to	\$100.0 \$100.0
Special Events and CampsRecreation Facility Reservations (north pRecreation Facility Reservations (south pSponsorship Banners	ortion of building) Fee Range: \$50.00 to portion of building) Fee Range: \$50.00 to \$150.00 to \$	\$100.0 \$100.0 2,000.0
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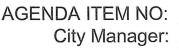
	25.00 per appea
Light Use (per appeal) § Other Fees	60.00 per appe
Copy of Police Report	\$5.0
	\$5.0
Fingerprinting (Clovis residents or works in Clovis only), per card ABC License Review.	\$10.0
	\$200.0
ABC Permit - Special Event Alcohol Permit: Profit ABC Permit - Special Event Alcohol Permit: Non Profit	No Charg
Local Background Check	\$40.0
Audio Dispatch Recording (with case # and time of call)	\$39.0
Audio/ Video Dispatch Recording (with name only) single camera view and time inc Audio/ Video Dispatch Recording (involving staff time up to 1.5 hrs)	\$247.0
Audio or Video Dispatch Recording (involving staff time of 1.5 hrs+)	\$425.0
Card Room Permit (includes fingerprinting)	\$258.0
Card Room Permit (includes ingerprinting)	\$228.0
Production of Records - Video Tapes, CD's, DVD's	\$54.0
Reproduction of Photographs (Digital)	\$40.0
Reproduction of Photographs (35 mm)	\$142.0
	\$142.0
Report - Discovery (Reports or Audio or Video) Second Hand Dealer License	\$170.0
Vehicle Impound Release	\$206.0
Per Tow Administration Fee	\$40.0
Gun Storage - Clovis Resident \$55.00 First Gun \$35 Each Additional Gun	\$40.0
Gun Storage - Non-Clovis Resident \$75.00 First Gun \$35 Each Additional Gun	\$75.0
Massage Therapist Permit Application Fee	\$250.0
Shopping Cart Pick Up Fee	\$25.0
Shopping Cart Daily Storage Fee	\$5.0
False Alarms	ψυ.(
False Alarms, first 2 alarms	No Charg
False Alarms, 3 – 5 alarms	\$100.00 ea
False Alarms, 6 or more	\$250.00 ead
Animal Services Fees	φ200.00 Cat
Dog License (Unaltered)	
One year	\$25.0
2years	\$50.0
3 years	\$75.0
Replacement Tag	\$1.0
Dog and Vietnamese pot bellied pig License (Spayed or neutered or owned by Sen	
One year	\$5.0
2 years	\$10.0
3 years	\$15.0

Impound Fees				
Туре	1st Time	2nd Time	3rd & Subsequent	
Altered dog with license	Free*	\$35.00*	\$65.00*	
Unaltered dog with license	Free* & \$35 State	\$60.00* & \$50 State	\$85.00* & \$100 State	

Altered dog – no license	\$35.00*	\$60.00*	\$85.00*
Unaltered dog – no	\$35.00* & \$35 State	\$60.00* & \$50 State	\$85.00* & \$100 State
license	400.00 & 400 Olale	φ00.00 & φ50 Otate	φ00.00 & φ100 θίαιο
Altered Cat	Free *	\$30.00*	\$30*
Unaltered Cat	Free* & \$35 State	\$25.00 * & \$50 State	\$35.00 * & \$100 State
Other animals	Free*	\$30.00*	\$55.00*
Animal returned to owner	\$65.00*	\$65.00*	\$65.00*
by Field Officer	\$65.00	\$05.00	φ05.00
*plus \$15.00 per day board			
Other Animal Shelter Fees			
Cat trap			\$60.00 deposit
Skunk trap			\$100.00 deposit
Large Animal Trap Depos	sit		\$100.00
Owner surrendered altered			\$20.00
Owner surrendered unalt			\$30.00
Owner surrendered altered			\$15.00
Owner surrendered unalt			\$20.00
Owner surrendered litter			\$25.00
	et Pets (hamster, mice gu	inea pig_etc)	\$5.00
Dog/cat euthanasia	ist i oto (namotor, moo gu		\$100.00
Dead animal disposal (ur	der 10 pounds)		\$10.00
Dead animal disposal (or	ver 10 pounds)		\$20.00
Pick-up fee (surrender fe			\$65.00
Dog Adoption	e separate)		\$150.00
Transfer Dog License			\$130.00
Dog License Late Fee			\$10.00
Cat Adoption			\$75.00
	aily beard		\$25.00
Quarantined Animals – D	ally board		
After Hour Service			\$50.00
Dangerous and Vicious A			\$100.00
Spay and Neuter Deposit			\$100.00
Obedience Training Depo	DSIT	· · · · · · · · · · · · · · · · · · ·	\$100.00
Fire Department Fees			
Front Counter Fees			Rate
Fire Investigation Repo	ort and Photos (62000-46	310)	\$159
Construction Permits (	62000-46001)		Rate
Underground			\$496
Overhead (Up to 20 he	ads)		\$199
Overhead (21 – 50 hea			\$347
	onal 50 heads after 51+)		\$264
Fire Pump			\$562
Fire Standpipes (per st	andpipe)	······································	\$363
Fire Alarm (Base Fee)			\$325
Fire Alarm (Per 25 Dev	vices)		\$7/per additional device
Fire Sprinkler System			\$165

5yr Sprinkler System Certification (Compliant)	\$0
5yr Sprinkler System Certification (non-Compliant)	\$363
Fire Suppression Hood System	\$363
LP Gas	\$231
Above Ground Tank Installation	\$297
Plan Review Re-submittal (Ea. Additional 1/2 hour)	\$66
Re- Inspection Fee (Ea. Additional 1/2 hour)	\$99
Expedited Plan Review	\$132/hr
Investigation Fee for Work Started Without Permits is the Total Cost of the Construction Permit Fee Doubled.	\$661
ireworks Fees (62000-46001)	
	urly Rate
Fireworks Booth	\$300
Fireworks Shoot/Display (1 Prevention Unit; 3-hour minimum)	\$132/hr
Fireworks Base Fee for 1/2 hour Plan Review, One (1) Inspection and Permit	\$132
Each Additional Plan Review Per 1/2 hour	\$66
Each Additional Inspection Per 1/2 hour	\$66
Prevention Staff (1 unit) (3 hour minimum)	\$132/hr
nnual Occupancy Fire and Life Safety Inspections (3rd Visit Non-Compliant)	Rate
nnual Inspection - (Occupancy type: B, F, M, S) Factory/Industrial, Retail, Business/Office, cept for combustible dust producing operations and repair garages. <b>(62000-46001)</b>	
o to 5,000 sq. ft.	\$496
001 - 40,000 sq. ft.	\$535
0,001 sq. ft. and Above	\$958
nnual Occupancy Fire and Life Safety Inspections (3rd Visit Non-Compliant; Schools at Visit) (62000-46001)	Rate
nnual Inspection - (Occupancy type: A, E) Assembly (Theatre, Churches, Auditorium, estaurant), Education (any school), Excessive Hazardous Material - Welding, Open - flame, igh Hazard Storage:	
p to 5,000 sq. ft.	\$377
001 - 20,000 sq. ft.	\$727
0,001 sq. ft. and Above	\$1,190
nnual Occupancy Fire and Life Safety Inspection (3rd Visit Non-Compliant)	Rate
2000-46001) nnual Inspection - (Occupancy type: H) Excessive Hazardous Material - Welding, Open -	
ame, High Hazard Storage.	\$297
p to 5,000 sq. ft.	\$694
001+.	<u>φυ94</u>
nnual Occupancy Fire and Life Safety Inspections lospitals and Fire Clearances 1st Visit) (62000-46001)	Rate
nnual Inspection - (Occupancy type: I)* Hospitals, nursing homes with medical care, prisons	
lospitals	\$3,998
ther I Occupancies	\$430

Fire Clearances	\$231
Annual Occupancy Fire and Life Safety Inspections (1st Visit) (62000-46001)	Rate
Annual Inspection / each per year - Occupancy type R-1 (Hotels/Motels)	
3 – 19 units	\$297
20 – 49 units	\$430
50 + units	\$562
Annual Occupancy Fire and Life Safety Inspections (1st Visit)(62000-46001)	Rate
Annual Inspection / each per year - Occupancy type R-2 (Apartments)	
3 – 19 units	\$231
20 – 49 units	\$363
50 + units	\$430
Desidential Core Facilities Dre Increation (CODOD (CODA)	Dete
Residential Care Facilities Pre-Inspection (62000-46001)	Rate
6 or less clients	\$363
7 or more clients	\$694
Fire Suppression Hood System – Existing (62000-46001)	Rate
Compliant	\$0
Non-Compliant (2 <sup>nd</sup> visit)	\$69
Operational Permits (1-Day Event) (62000-46001)	Rate
Base Fee for 1/2 hour Plan Review and One (1) Inspection	\$215
Each Additional Plan Review Per 1/2 hour	\$66
Each Additional Inspection Per 1/2 hour	\$66
False Alarm Response (62000-46001)	Hourly Rate
Prevention (1 unit)	\$165
Suppression (1 BC unit)	\$316
Plan Review (62000-46001)	Rate
Plan Review per ½ hours (1/2 hour minimum)	\$66
nspection	\$66
/liscellaneous Fees (62000-46001)	Rate
Emergency Response – Admin (plus equipment)	\$45
	\$45
fazMat Response – Admin (plus equipment)	
HazMat Response – Admin (plus equipment) Electronic Gate	\$363







# CITY of CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services

DATE: October 9, 2017

SUBJECT: Consider Approval – Res. 17-\_\_, Final Map for Tract 6102, located on the south side of Shaw Avenue at Highland Avenue. (DYP 6068, L.P. – DeYoung Properties).

ATTACHMENTS: (A) Res. 17-\_

- (B) Vicinity Map
- (C) Copy of Final Map

## CONFLICT OF INTEREST

None

## RECOMMENDATION

For the City Council to approve Res. 17-\_\_\_, which will:

- 1. Accept the offer of dedication of street and public utility easements within Tract 6102, and;
- 2. Authorize recording of the final map.

## EXECUTIVE SUMMARY

The owner, DYP 6068, L.P., acting as the subdivider, has submitted a final map. The improvement plans are being processed by City staff. The improvements to be installed include curb, gutter, sidewalk, street paving, sanitary sewers, and water mains. The subject tract is located on the south side of Shaw Avenue at Highland Avenue. It contains approximately 15.92 acres and consists of 69 units, zoned R-1.

City Council Report Tract 6102 Final Map October 9, 2017

## **FISCAL IMPACT**

The subdivider will be installing curb, gutter, sidewalk, street paving, sanitary sewers, and water mains, which will be perpetually maintained by the City of Clovis.

### REASON FOR RECOMMENDATION

The subdivision agreement will be executed prior to the council meeting by the subdivider and all development fees paid or deferred in accordance with Municipal Code. The agreement provides for the developer to complete a technically correct map and improvement plans and to complete all required improvements in compliance with the conditions of approval. The improvements are adequately secured.

### ACTIONS FOLLOWING APPROVAL

The final map will be filed with the Fresno County Recorder's office for recording.

Prepared by:

David Gonzalez, Junior Engineer

Submitted by:

Michael Harrison City Engineer

Recommended by:

Dwight Kroll, AICP

And Development

Services

Director of Planning

T6102 Final Map

10/3/2017 8:34:24 AM

City Council Report Tract 6102 Final Map October 9, 2017

## **RESOLUTION 17-\_\_**

## RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS APPROVING FINAL SUBDIVISION MAP FOR TRACT NO. 6102

WHEREAS, a final map has been presented to the City Council of the City of Clovis for Tract 6102, by The City of Clovis, a Municipal Corporation, and

WHEREAS, said final tract conforms to the requirements of Chapter 2, Part 2, of Division 4 of the Business and Professions Code and to local ordinances;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clovis as follows:

1. The final map of Tract 6102, consisting of four (4) sheets, a copy of which is on file with the City Clerk, be and the same is hereby approved.

2. Approval of the Subdivision improvement plans for said tract are being completed by City Staff.

3. The preliminary Engineer's Cost Estimate of development cost of said tract, a copy of which is on file with the City Clerk, be and the same is hereby approved and adopted as the estimated cost of improvements for said subdivision in the sum of \$3,238,000.00.

4. The offer and dedication for public use of the parcels, streets and easements specified on said map are accepted by the City of Clovis and the City Clerk is authorized and directed to execute said subdivision map.

5. This Council finds that the proposed subdivision, together with the provisions for its design and improvement, are consistent with applicable general and specific plans of the City of Clovis.

6. Improvement Security, as provided hereunder and in said Subdivision Agreement, is fixed at one hundred percent (100%) or the sum of \$3,238,000.00 for

City Council Report Tract 6102 Final Map October 9, 2017

guaranteeing specific performance of said agreement and fifty percent (50%) or the sum of \$1,619,000.00 for payment of labor and materials furnished by contractors, subcontractors, labormen and materialmen in connection with the improvements required to be made or constructed by said subdivider in conformity with said subdivision map or said agreement.

7. Subdivider shall furnish a bond in the sum of \$323,800.00 being the amount determined by the City Council of the City as necessary for the guarantee and warranty of the work for a period of one year following the completion and acceptance of the tract against any defective work or labor done, or defective materials furnished. Said bond is required to be furnished prior to acceptance of the tract by the City Council.

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on October 9, 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

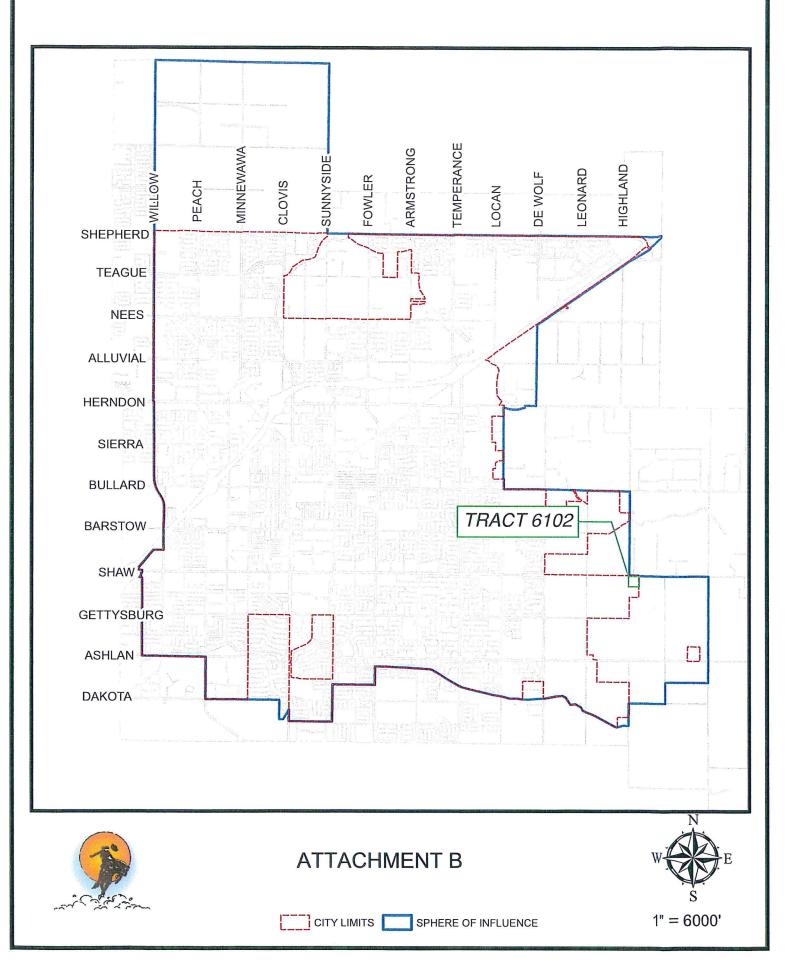
DATED:

Mayor

City Clerk

10/3/2017 8:34:24 AM

## **VICINITY MAP**



	TRACT NO. 6102
	BEING A DIMSION OF A PORTION OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 13 SOUTH, RANGE 22 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF CLOVIS, COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF; SURVEYED AND PLATTED IN JANUARY 2017 BY OK. CONSISTING OF 4 SHEETS SHEET 1 OF 4
OWNER'S STATEMENT	LEGAL DESCRIPTION
WE HEREBY STATE THAT WE ARE THE LEGAL OWNERS OF, OR HAVE SOME RIGHT, TITLE OR INTEREST IN	THE LAND REFERRED TO IS SITUATED IN THE COUNTY OF FRESNO, CITY OF CLOVIS, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:
AND TO THE REAL PROPERTY SHOWN ON THIS SUBDIVISION MAP, AND THAT WE ARE THE ONLY	PARCEL ONE:
PERSONS WHOSE CONSENT IS NECESSARY FOR THE MAKING AND FILING OF SAD SUBDIVISION MAP,	THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE FRACTIONAL NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 13 SOUTH, RANGE 22 EAST,
AS SHOWN WITHIN THE DISTINCTIVE BORDER LINES HEREON, AND WE HEREBY OFFER FOR DEDICATION	MOUNT DUBLE DATE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF, BEING SHOWN AS PARCEL B ON THE MAP OF RECORD OF SURVEY
FOR PUBLIC USE ALL THE PARCELS AND ESSEMENTS SPECIFIED ON SAID MAP AS INTENDED FOR	LS. 6919
PUBLIC USE ALL THE PARCELS AND ESSEMENTS SPECIFIED THEREIN.	LS. 6919
DYP 6068 L.P., A CALIFORNIA LIMITED PARINERSHIP	EXCEPTING THEREFROM ALL OIL, GAS AND MINERALS THEREIN AND THEREUNDER, TOGETHER WITH THE RIGHT TO ENTER IN SAID LANDS AND TAKE ALL THE
BY: TEAM 5 PROPERTERS, INC. A CALIFORNIA CORPORATION	USUAL NECESSARY OR CONVENIENT MEANS TO BORE WELLS, MAKE EXCAVATIONS AND TO REMOVE ALL OIL AND OTHER MINERALS FOUND THEREIN
ITS GENERAL PARTNER	PREVIOUSLY RESERVED OF RECORD.

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE FRACTIONAL NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 13 SOUTH, RANGE 22 EAST, M.D.B. & M., IN THE UNINCORPORATED AREA OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM ALL OIL, GAS AND MINERALS IN AND UNDER SAID LAND AS CONVEYED TO CALIFORNIA LAND, INC., BY DEED RECORDED JANUARY 31, 1935 IN BOOK 1399, PAGE 342 OF OFFICIAL RECORDS.

1. SAID LAND LIES WITHIN THE FRESNO METROPOLITAN FLOOD CONTROL DISTRICT AND IS SUBJECT TO DRAINAGE FEES AND/OR REDUIREMENTS TO CONSTRUCT PLANNED LOCAL DRAINAGE FACILITIES, AS DISCLOSED BY RESOLUTION NO. 1816, RECORDED JULY 31, 1995 AS SERIES NUMBER 95092128

2. ANY SPECIAL TAX WHICH IS NOW A LIEN AND THAT MAY BE LEVIED WITHIN THE CITY OF CLOVIS COMMUNITY FACILITIES DISTRICT NO. 2004-1 (POLICE AND FIRE SERVICES) ANNEXATION NO. 47, A NOTICE OF WHICH WAS RECORDED OCTOBER 24, 2016 IN OFFICIAL RECORDS UNDER RECORDER'S SERIAL NO. 2016-0145945.

OF CALIFORT

	 	-
NAME		

BY: Q	
6051 N. FRESNO ST., STE. 200 TEL: (559) 449-2400 FRESNO, CA 93710 WWW.OKINC.COM	
SURVEYOR'S STATEMENT	
HE SURVEY FOR THIS MAP WAS MADE BY ME OR UNDER MY DIRECTION AND IS TRUE AND COMPLETE AS HHOWN. THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY SONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF DYP 6068, L.P., A CALIFORNIA LIMITED PARTNERSHIP, IN JANUARY 2017. I HEREBY STATE THA LL OF THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY SET IN THOSE POSITIONS BEFORE ONE YEAR OF THE DATE THE MAP IS RECORDED, OR ANY TIME XTENSION APPROVED BY THE CITY ENGINEER. THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE HE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONAL PPROVED TENTIATIVE MAP.	
AVID W. BERRY, L.S. 6919 DATE	
CITY ENGINEER'S STATEMENT MICHAEL J. HARRISON, CITY ENGINEER OF THE CITY OF CLOVIS, HEREBY STATE THAT I HAVE EXAMINED T MAP, THAT THE SUBDIVISION SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP WID ANY APPROVED ALTERATIONS THEREOF, THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND OF OCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH, AND THAT I AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT.	
AICHAEL J. HARRISON, P.L.S. 8088 DATE SITY ENGINEER	
CITY CLERK'S CERTIFICATE , JOHN HOLT, DO HEREBY CERTIFY THAT THE COUNCIL OF THE CITY OF CLOVIS, BY RESOLUTION ADOPTED ON	OR
IOHN HOLT, CITY CLERK DATE	
DENIELICIADY	
BENEFICIARY J.S. BANK NATIONAL ASSOCIATION, D/B/A HOUSING CAPITAL COMPANY AS BENEFICIARY UNDER DEED OF RUST RECORDED MARCH 30, 2017 IN OFFICIAL RECORDS UNDER RECORDER'S SERIAL NUMBER 2017-0040253, F.C.R.	
BY:BY:	
ΝΑΜΕ ΤΙΤΙΕ	
BENEFICIARY	
HE PENN FAMILY TRUST DATED MARCH 2, 2005, TRUSTEE AND TRUSTEE OF IPX 1031 EXCHANGE DOMPANY AS BENEFICIARY UNDER DEED OF TRUST RECORDED MARCH 30, 2017 IN OFFICIAL RECORDS INDER RECORDER'S SERMA UNUBER 2017-0040254, AND PROVISIONS RECORDED MARCH 30, 2017 IN FFFICIAL RECORDS UNDER RECORDER'S SERIAL NUMBER 2017-0040255, F.C.R.	
BY:	_
NAME ТПЪЕ	
RECORDER'S CERTIFICATE	
DOCUMENT NO FEE PAID	
TILED THIS DAY OF, 20, ATM.,	
N VOLUME OF PLATS, AT PAGES THRU, FRESNO COUNTY RECORDS AT THE REQUEST OF OK.	
PAUL A. DICTOS, CPA FRESNO COUNTY ASSESSOR/RECORDER	
3Y:	
DEPUTY	

# 1.

PARCEL TWO:

ENCUMBRANCES

ERNIE ESCOBEDO, CHIEF FINANCIAL OFFICER

\_ }

NOTARY ACKNOWLEDGMENT

BEFORE ME,

NOTARY ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS

PERSONALLY APPEARED PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES),

AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S). OF THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT. I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

\_\_\_ BEFORE ME, \_\_\_\_

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

PERSONALLY APPEARED \_\_\_\_\_\_, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY ENDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(ICS), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

COUNTY

COUNTY

BY

CHRISTOPHER BRANDON DE YOUNG, EXECUTIVE VICE PRESIDENT

\_\_, NOTARY PUBLIC,

\_\_\_, NOTARY PUBLIC.

BY:

STATE OF CALIFORNIA

COUNTY OF \_\_\_\_

WITNESS MY HAND

STATE OF CALIFORNIA

COUNTY OF \_\_\_\_

WITNESS MY HAND

PRINT NAME

MY COMMISSION EXPIRES \_\_\_\_

MY COMMISSION NO

PRINCIPAL PLACE OF BUSINESS

SIGNATURE

ON

PRINT NAME MY COMMISSION EXPIRES MY COMMISSION NO

PRINCIPAL PLACE OF BUSINESS

SIGNATURE

ON

ABANDONMENT NOTE

PURSUANT TO SECTION 66434(g) OF THE GOVERNMENT CODE, THE FILING OF THIS FINAL MAP SHALL CONSTITUTE ABANDONMENT OF THE FOLLOWING:

- AN EASEMENT GRANTED TO THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY FOR PUBLIC UTILITIES RECORDED JUNE 8, 1976 IN BOOK 6606 OF OFFICIAL RECORDS, PAGE 172 AFFECTING THE EAST 30 FEET OF PARCEL TWO.
- 2. AN EASEMENT FOR INGRESS AND EGRESS AND INCIDENTAL PURPOSES RECORDED APRIL 23, 1975, AS INSTRUMENT NO. 28484 IN BOOK 6423 OF OFFICIAL RECORDS, PAGE 946 AFFECTING THE EAST 30 FEET OF PARCEL ONE AND TWO AND THE WEST 30 FEET OF PARCEL ONE.

### NOTARY ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA

PERSONALLY APPEARED PROVED TO ME ON THE BASIS OF SATISFACTORY ENDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE	
PRINT NAME	
MY COMMISSION EXPIRES	
MY COMMISSION NO	
PRINCIPAL PLACE OF BUSINESS	COUNTY

COUNTY OF \_\_\_\_

ON \_\_\_\_ \_\_\_ BEFORE ME, \_\_\_\_ , NOTARY PUBLIC.

## NOTARY ACKNOWLEDGMENT

IDENTITY OF THE INDIVID	THER OFFICER COMPLETING THIS UAL WHO SIGNED THE DOCUMENT E TRUTHFULNESS, ACCURACY, OR	TO WHICH THIS CERTIFICATE IS
STATE OF CALIFORNIA	1	
COUNTY OF	/	
ON	BEFORE ME,	, NOTARY PUBLIC,

PERSONALLY APPEARED PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO HTAT HE/SHE/THEY EXCUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

PRINT NAME

MY COMMISSION EXPIRES

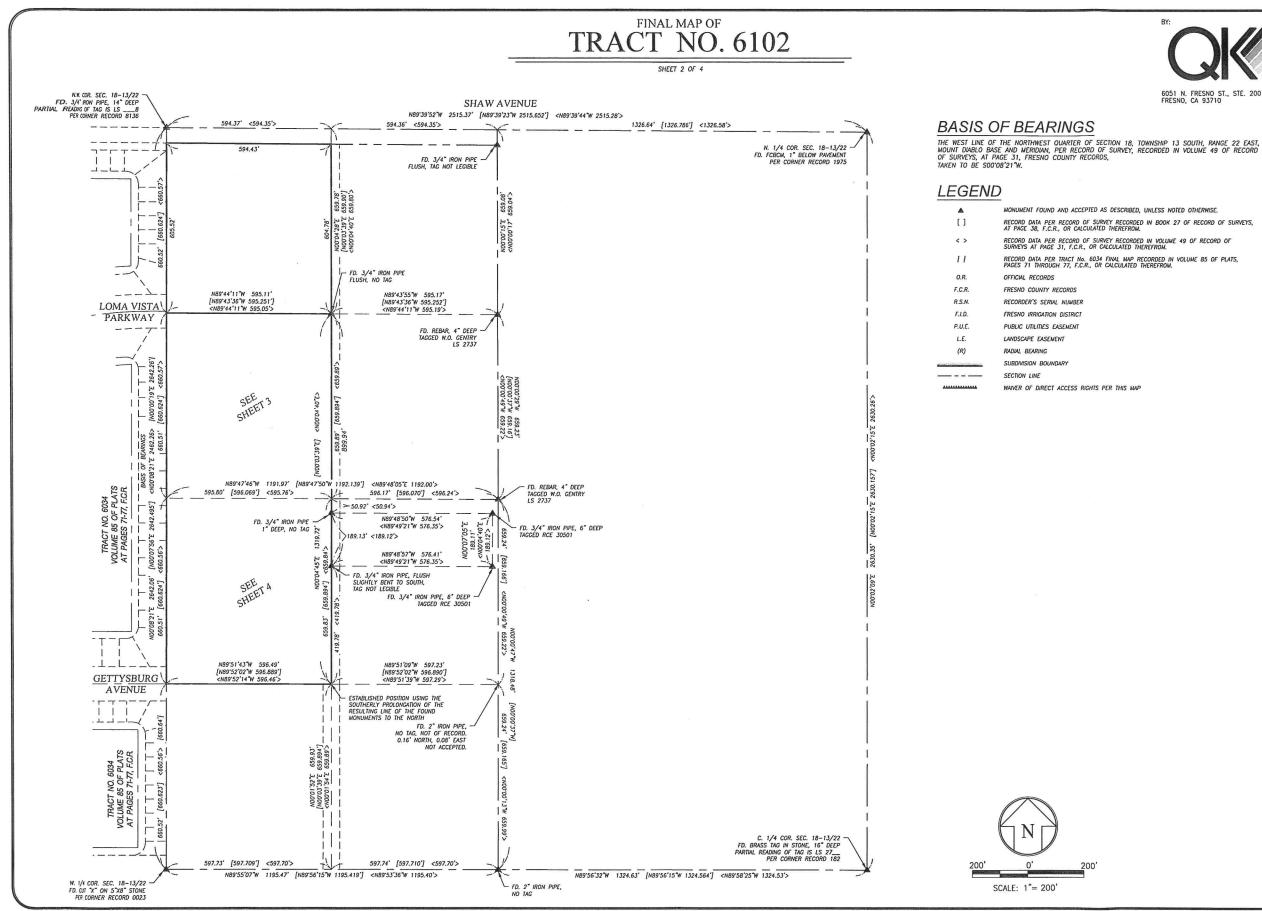
MY COMMISSION NO

PRINCIPAL PLACE OF BUSINESS

SIGNATURE

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COUNTY



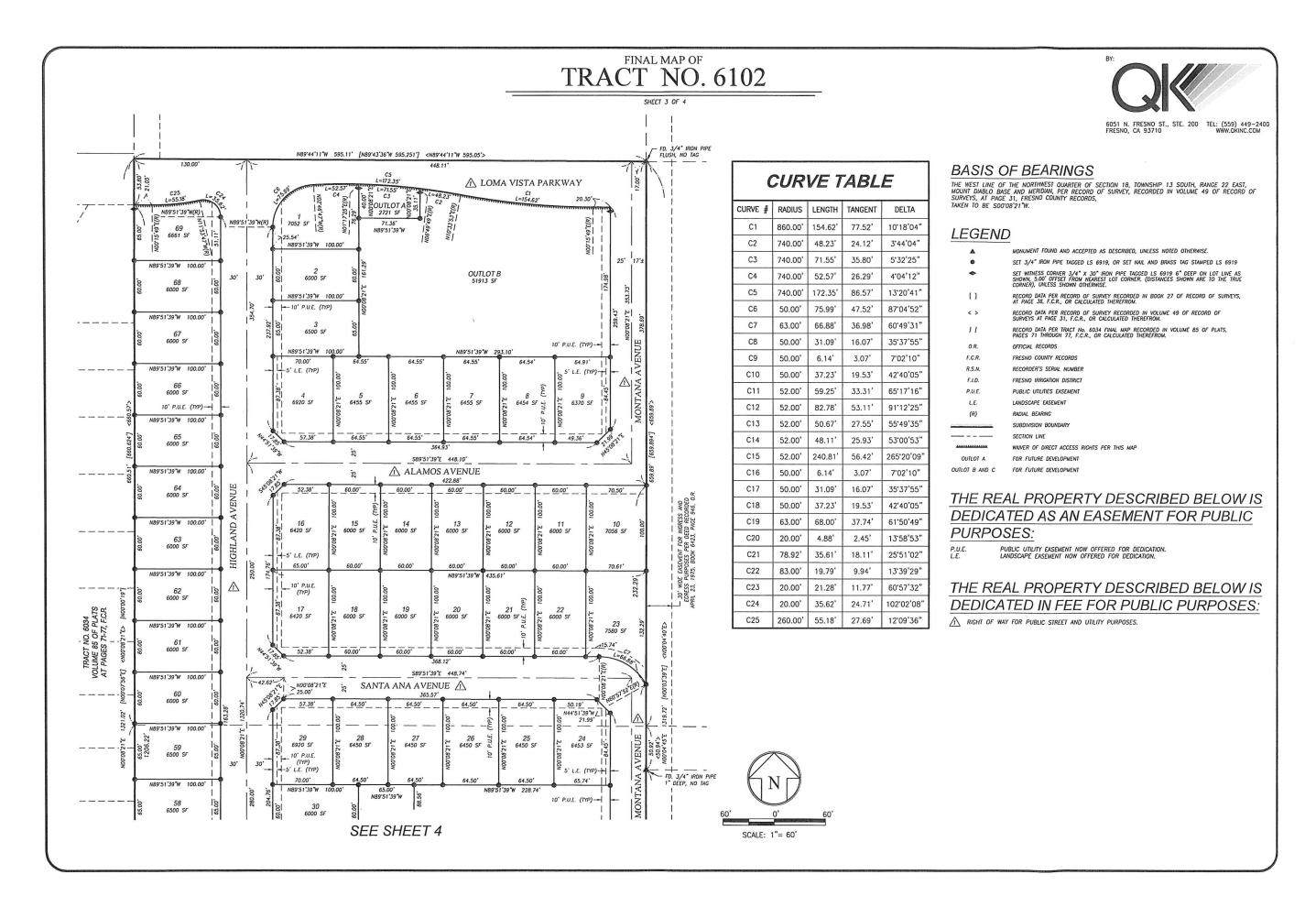


6051 N. FRESNO ST., STE. 200 TEL: (559) 449-2400 FRESNO, CA 93710 WWW.OKINC.COM

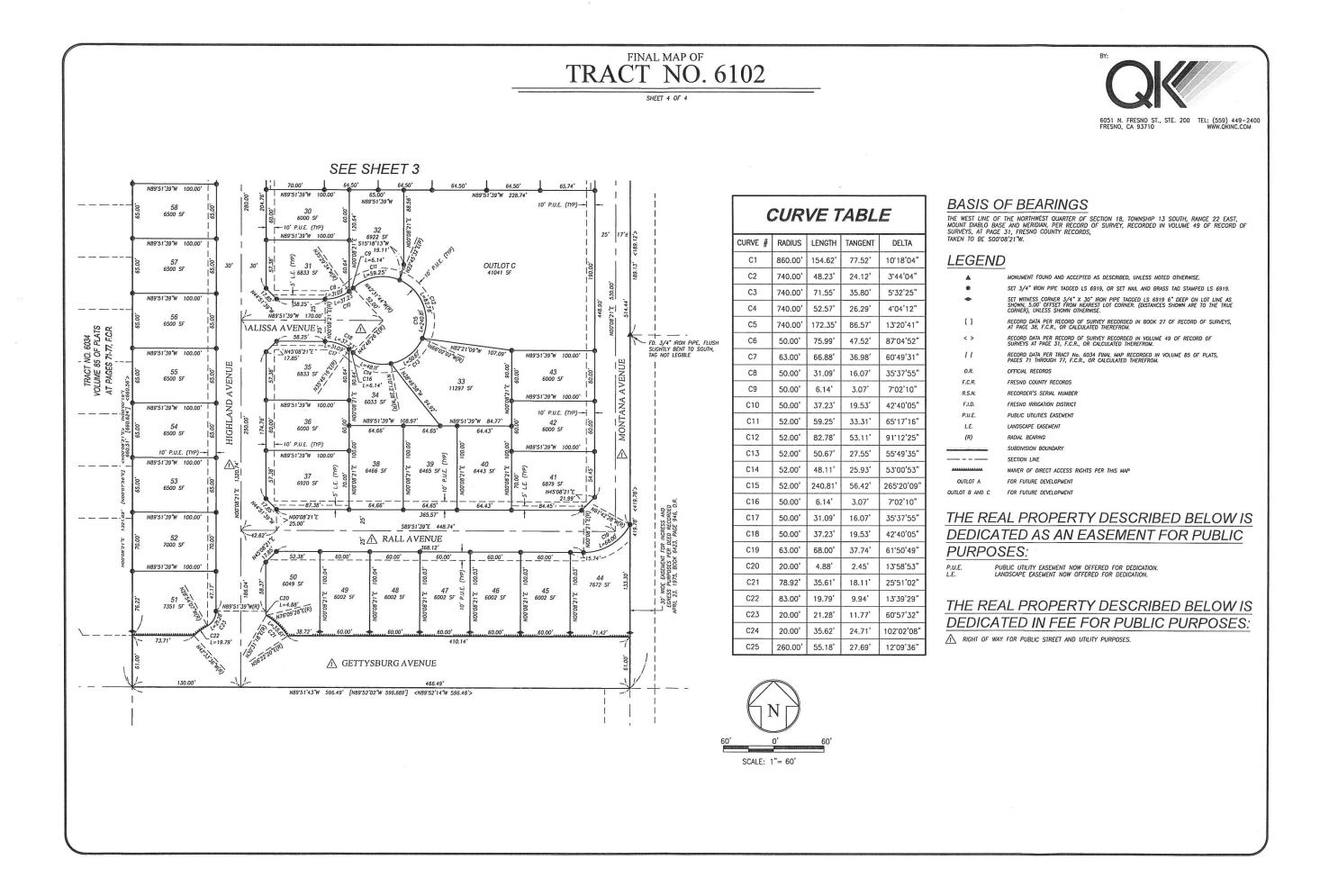
MONUMENT FOUND AND ACCEPTED AS DESCRIBED, UNLESS NOTED OTHERWISE. RECORD DATA PER RECORD OF SURVEY RECORDED IN BOOK 27 OF RECORD OF SURVEYS, AT PAGE 38, F.C.R., OR CALCULATED THEREFROM,

RECORD DATA PER RECORD OF SURVEY RECORDED IN VOLUME 49 OF RECORD OF SURVEYS AT PAGE 31, F.C.R., OR CALCULATED THEREFROM.

RECORD DATA PER TRACT No. 6034 FINAL MAP RECORDED IN VOLUME 85 OF PLATS, PAGES 71 THROUGH 77, F.C.R., OR CALCULATED THEREFROM.



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# CITY of CLOVIS

AGENDA ITEM NO:

City Manager:

2-D-2

## REPORT TO THE CITY COUNCIL

- TO: Mayor and City Council
- FROM: Planning and Development Services
- DATE: October 9, 2017
- SUBJECT: Consider Approval Resolution No. 17-\_\_\_\_, Annexation of Proposed Tract 6102, located on the south side of Shaw Avenue at Highland Avenue to the Landscape Maintenance District No. 1 of the City of Clovis. (DYP 6068, L.P. – DeYoung Properties)
- ATTACHMENT: (A) Res. 17-\_\_\_

## CONFLICT OF INTEREST

None

### RECOMMENDATION

For the City Council to approve Res. 17-\_\_\_\_, that will annex proposed Tract 6102, located on the south side of Shaw Avenue at Highland Avenue to the Landscape Maintenance District No. 1 of the City of Clovis.

### **EXECUTIVE SUMMARY**

The owner, DYP 6068, L.P., acting as the subdivider, has requested to be annexed to the Landscape Maintenance District No. 1 of the City of Clovis as set forth by the Conditions of Approval for Tentative Tract Map 6102.

10/3/2017 8:33:15 AM

City Council Report Tract 6102 LMD Annexation October 9, 2017

## BACKGROUND

DYP 6068, L.P., the developer of Tract 6102, has executed a covenant that this development be annexed to the City of Clovis LMD No. 1. An executed copy can be provided on request. Council formed the original District on July 15, 1985, for the purpose of funding the maintenance of landscaped areas and parks.

Under the provisions of the Landscaping and Lighting Act of 1972 and in accordance with Article XIII C and Article XIII D of Proposition 218, all the owners of property proposed for annexation have provided a written request and consent to annexation and have executed a covenant (petition) indicating acceptance of the annual assessment.

## FISCAL IMPACT

This project will add landscaping to the Landscape Maintenance District No. 1 of the City of Clovis shown as follows:

	<u>Tract 6102</u>	<u>Year to Date</u>
LMD Landscaping added:	0.00 acres	4.278 acres
Resource needs added:	0.084 person	.428 person

The resource needs estimate is based on 1 person per 10 acres of landscaped area.

## REASON FOR RECOMMENDATION

The property owners for the subject tract and parcel map have requested annexation into the City of Clovis LMD No. 1.

## ACTIONS FOLLOWING APPROVAL

Tract 6102 shall become a part of City of Clovis LMD No. 1 and will be assessed next year for maintenance costs.

Prepared by:

David Gonzalez, Junior Engineer

Submitted by:

**City Engineer** 

Michael Harrison

Recommended by:

Dwight Kroll, AICP Director of Planning And Development Services

Tract 6102 LMD Annexation

10/3/2017 8:33:15 AM

City Council Report Tract 6102 LMD Annexation October 9, 2017

## RESOLUTION 17-\_\_\_\_

## A RESOLUTION OF THE COUNCIL OF THE CITY OF CLOVIS, CALIFORNIA, APPROVING ANNEXATION TO LANDSCAPING MAINTENANCE DISTRICT NO. 1 OF THE CITY OF CLOVIS

WHEREAS, City of Clovis Landscape Maintenance District No. 1 ("District") was formed by Resolution No. 85-78, adopted July 15, 1985, pursuant to Part 2 of Division 15 of the Streets and Highways Code (Landscape and Lighting Act of 1972), herein the "Act"; and

WHEREAS, all of the owners of property proposed to be annexed to the District consisting of proposed Tract No. 6102, as described in Exhibit "A" attached hereto and incorporated herein by reference, have consented to said annexation and such annexation may be ordered without notice and hearing or filing of engineer's report, or both.

NOW, THEREFORE, IT IS RESOLVED AND ORDERED, as follows:

1. That the public interest and convenience require that certain property described in Exhibit "A" attached hereto and by reference incorporated herein be annexed into Landscape Maintenance District No. 1 of the City of Clovis for the maintenance and servicing of landscaping facilities.

2. The City Clerk shall receive and file the maps showing the boundaries of the areas annexed as set forth in Exhibit "A" which boundaries shall be used for assessment proceedings until and unless a change of organization is approved pursuant to the Act.

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on October 9, 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED:

Mayor

City Clerk

Tract 6102 LMD Annexation

10/3/2017 8:33:15 AM

Page 3 of 4

City Council Report Tract 6102 LMD Annexation October 9, 2017

### Exhibit "A"

LOTS 1 THROUGH 69, INCLUSIVE, OF TRACT MAP 6102, RECORDED IN VOLUME \_\_\_\_\_, PAGES \_\_\_\_\_ THROUGH \_\_\_\_\_ OF TRACT MAPS, FRESNO COUNTY RECORDS.

Tract 6102 LMD Annexation

10/3/2017 8:33:15 AM



# CITY of CLOVIS

AGENDA ITEM NO:

City Manager:

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services Department

DATE: October 9, 2017

- SUBJECT: Consider Approval Final Acceptance for CIP 15-07, Nees Avenue Recycled Water Main
- ATTACHMENT: (A) Vicinity map

## **CONFLICT OF INTEREST**

None

## RECOMMENDATION

For the City Council to accept the work performed as complete and authorize recording of the notice of acceptance.

## **EXECUTIVE SUMMARY**

The project consisted of construction of a recycled water main and appurtenances along Nees Avenue and Owens Mountain Parkway, from N. Temperance Avenue to Kenosha Avenue, and north of Owens Mountain Parkway, between N. DeWolf Avenue and N. Pamela Avenue to provide recycled water for all public landscaped areas in Harlan Ranch and nearby developments. The project also included installation of seven recycled water meter assemblies at various locations within the Harlan Ranch development to accommodate conversion to recycled water. Staff is recommending that Council accept the improvements.

## BACKGROUND

The bid opening was on March 7, 2017, and the project was awarded by City Council on March 20, 2017. Agee Construction Corporation was the low bidder and was awarded the

2-D-3

City Council Report CIP 15-07 Acceptance October 9, 2017

project. The project was completed in accordance with the construction documents and within the total contract time allotted.

## **FISCAL IMPACT**

1.	Contract Award Amount	\$ 574,221.00
2.	Cost reduction resulting from differences between estimated quantities used for award and actual quantities installed.	(\$ 43,860.56)
3.	Contract Change Orders CCO No. 1 Compensate Contractor for material and loss of time due to unexpected field conditions.	\$ 12,797.78
	CCO No. 2 Installation of a system to allow physical separation between recycled water system and potable water system.	\$ 29,400.00
	CCO No. 3 Reconstruct asphalt concrete driveway for installation of a culvert.	\$ 8,950.00
	CCO No. 4 Reconstruct asphalt concrete driveway for installation of a culvert.	\$ 6,860.00
	CCO No. 5 Adjust the unit price of Asphalt Concrete bid item – due to decrease in bid item quantities over 25%	\$ 9,236.98
	CCO No. 6 Cost for 2-14" blind flanges – at physical Separation.	\$ 669.25
	CCO No. 7 Adjust the unit price of Aggregate Base bid item – due to decrease in bid item quantities over 25%.	\$ 3,806.09

				City Council Report CIP 15-07 Acceptance October 9, 2017
	CCO No. 8 Repair damage to the pavement section resulting from a private irrigation system.	\$ 1,122	.68	
	CCO No. 9 Compensate Contractor for material due to unexpected field conditions.	\$ 286.79		
4.	Liquidated Damages Assessed	\$	0.00	
	Final Contract Cost	\$ 603,4	90.01	

This project was approved in the Community Investment Program 2016-2017 fiscal year budget and is fully funded by the Sewer Development Fund.

Council approved a budget amendment in the amount of \$870,000 in the Sewer Developer Fund to account for additional expenditures for the bid award of the Nees Avenue Recycled Water Main project and the purchase of utility easements in Nees Avenue for the alignment.

In August of 2016, the city entered into an agreement with the "Harlan Ranch Community Association" to expedite the extension of the non-potable water system to the Harlan Ranch Community. As part of the agreement the Harlan Ranch Community Association agreed to provide \$1,000,000 in funding as a no interest loan to be repaid as recycled water development fees are collected. The final loan amount was \$823,000, due to contribution from developer trust funds and good bids.

## **REASON FOR RECOMMENDATION**

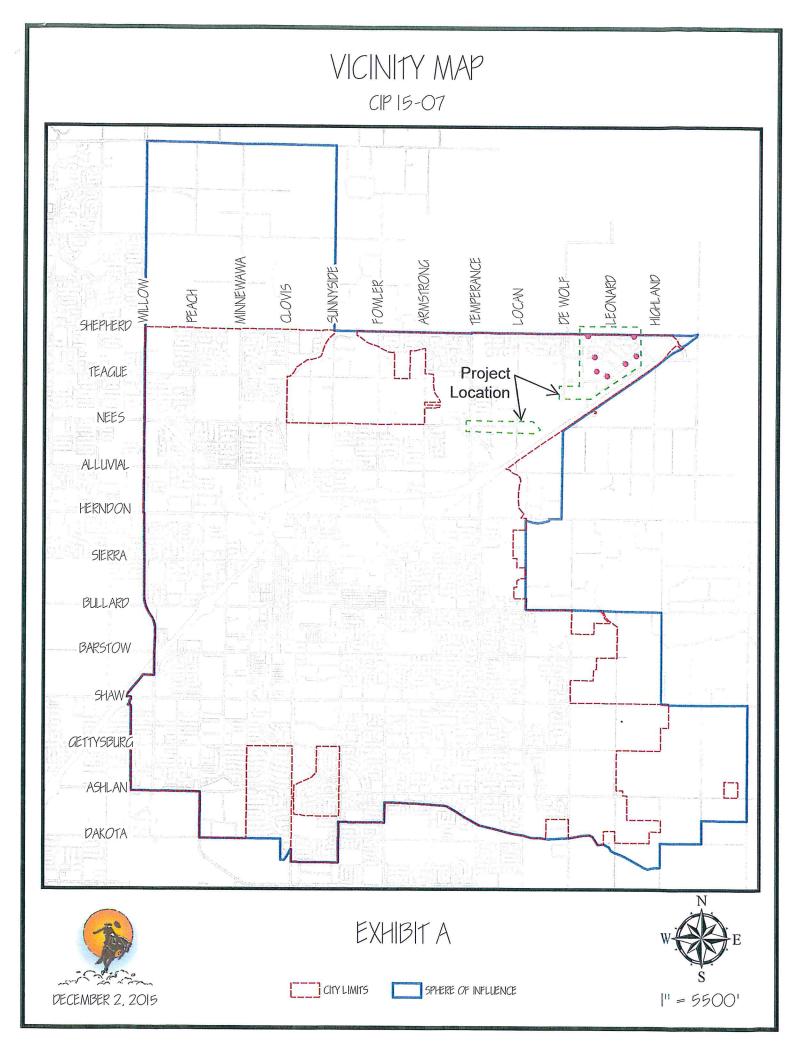
The Public Utilities Department, the City Engineer, the engineering inspector, and the project engineer agree that the work performed by the contractor is in accordance with the project plans and specifications, and has been deemed acceptable. The contractor, Agee Construction Corporation, has requested final acceptance.

## ACTIONS FOLLOWING APPROVAL

- 1. The notice of completion will be recorded; and
- 2. All remaining retention funds will be released 35 calendar days following recordation of the notice of acceptance, provided no liens have been filed. Retention funds may be released within 60 days after the date of completion, provided no liens have been filed, with "completion" defined as the earlier of either (a) beneficial use and occupancy and cessation of labor, or (b) acceptance by the City Council per Public Contract Code Section 7107(c)(2).

**City Council Report** CIP 15-07 Acceptance October 9, 2017 Prepared by: Eric Easterling, Project Engineer Submitted by: Recommended by: Dwight Kroll, AICP Director of Planning And Development **Michael Harrison City Engineer** Services

10/3/2017 10:07:02 AM



AGENDA ITEM NO: City Manager:

2-D-4



# CITY of CLOVIS

## REPORT TO THE CITY COUNCIL

- TO: Mayor and City Council
- FROM: Planning and Development Services
- DATE: October 9, 2017
- SUBJECT: Consider Policy Direction on a request to initiate an Ordinance Amendment requiring a home occupation permit for operation of short term vacation rentals and implementing operating regulations and standards

## **CONFLICT OF INTEREST**

None

## RECOMMENDATION

For the City Council to initiate an Ordinance Amendment requiring a home occupation permit for operation of short term vacation rentals and implementing operating regulations and standards.

## **EXECUTIVE SUMMARY**

Over the past year, staff has begun to receive complaints regarding short term vacation rentals. There is currently nothing in the municipal code regulating short term vacation rentals. Short term rental generally means the rental of a dwelling by the owner to another person for a period of less than thirty (30) consecutive days. This does not include city-approved hotels, motels, bed and breakfasts, and time-share projects. Staff is recommending the City Council provide policy direction to initiate an ordinance amendment requiring a home occupation permit for operation of short term vacation rentals and implementing operating regulations and standards. Having something in place would provide a means and provide direction on how to manage and deal with complaints and property owners who use their property for short term vacation rentals.

## BACKGROUND

The sharing economy for housing has significantly changed how homeowners rent property. Short term or vacation rentals, typically meaning property that is rented for less than 30 consecutive days, exploded in popularity due to online platforms that connect property owners, or "hosts", with prospective guests by the click of a button. The pace of this new platform has quickly surpassed appropriate government response and regulation.

The trend of converting residential units into full or part-time vacation rentals has become increasingly popular, especially in vacation destination communities or those near vacation destinations. The growing industry of online marketing sites such as Airbnb, VRBO, Homeaway, Vacasa and many others are making short term rentals more accessible to vacationers and travelers than ever before. Staff is aware that short term vacation rentals exist throughout the City and that most are operating in residential areas where they have been the subject of increasing complaints by neighbors regarding noise, excessive trash, parking, and other issues. To date, alleged violations have been investigated and code enforcement action taken only in response to neighborhood complaints.

These businesses compete with locally established hotels, motels, and bed and breakfast inns, all of which required some formal City approval prior to opening. Besides having no formal approvals, the City is not collecting Transient Occupancy Tax (TOT) revenue from short term vacation rental operations. The proposed Ordinance Amendment is in response to the growing concerns over the impacts of vacation rentals, and collection of TOT.

The rapid rise of the short term vacation rentals is posing unforeseen challenges and opportunities for cities across California and the country. Typically, short term vacation rentals operating in the City have not applied for a business license, nor, as noted, generate TOT. There is concern among some citizens that short term rentals negatively impact neighborhood character and contribute to other nuisances, including noise and on-street parking impacts.

On the other hand, some short term rental owners earn income to supplement or cover housing costs. Short term rentals also provide travelers and tourists with an alternative to traditional lodging and dining establishments and provide a unique view into life in a community. Guests can select from a variety of housing options and have a unique experience of staying in a home in a neighborhood. Short term rentals may potentially increase tourism and boost the local economy.

### **FISCAL IMPACT**

The City would be able to generate additional Transient Occupancy Tax for those short term rentals in the future.

City Council Report Initiate OA Short Term Rentals October 9, 2017

## **REASON FOR RECOMMENDATION**

Staff has begun to receive complaints and the City does not have anything codified regarding short term rentals.

## **ACTIONS FOLLOWING APPROVAL**

Staff will return to the Planning Commission and City Council with a proposed Ordinance Amendment. Staff will also make efforts to reach out to those who may be impacted.

Prepared by: John Holt, Assistant City Manager

Submitted by: Dwight Kroll, Director, Planning and Development Services